

UNIVERSITÉ DE GENÈVE  
INSTITUT UNIVERSITAIRE DE HAUTES  
ÉTUDES INTERNATIONALES

**THE POLITICS OF UNITED STATES  
DECISION-MAKING IN  
UNITED NATIONS  
SPECIALIZED AGENCIES:  
The Case of the  
International Labor Organization,  
1970-72**

THÈSE  
présentée à l'Université de Genève  
pour l'obtention du grade de Docteur ès Sciences Politiques

par  
**Grégory Théodore Kruglak**  
(U.S.A.)  
Thèse No 317  
1980

**1979**

University Press  
of America™





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**Gregory T. Kruglak**



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Printed in the United States of America



Library of Congress Catalog Card Number: 80-5318



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Genève, le 20 septembre 1979

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Thèse No 317



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## PREFACE

When the United States withdrew from the International Labor Organization in 1977, several interpretations were put forward by analysts and participants. At one end of the spectrum were those individuals who viewed withdrawal within the context of a perceived general decline in American influence in the United Nations system. According to this view, the United Nations was being put on notice that the United States would no longer tolerate abusive treatment and that the United States demanded a return to "due process" and elimination of "double standards" in a depoliticized atmosphere.

Further along the spectrum were those analysts who perceived American withdrawal from the ILO in terms of contentious issues within the organization, and only marginally linked withdrawal to American participation in other international forums.

Then, there were the analysts who viewed United States withdrawal largely from the domestic vantage point. Essentially, their argument was that the nongovernmental participants, especially the AFL-CIO, favored withdrawal and possessed the political influence to ensure that the President would take into consideration the domestic political trade-offs in making his decision.

The following study does not so much contradict the above three premises as it does provide a framework within which these premises may be seen as mutually supporting. The International Labor Organization is an unusually complex forum. Labor, management and government are all official actors, and as such, it is not surprising that American participants developed differing sets of demands and expectations. Additionally, U.S. participants have frequently judged the ILO's domestic American impact to be largely irrelevant; and furthermore, have viewed the organization as being submerged by East-West and later North-South conflict.

This study utilizes a 1970 refusal by the United States Congress to pay its assessed dues as the focal point. It is posited in this study that the origins of the 1970 crisis and the failure to resolve its underlying contentious issues are directly related to aspects of American withdrawal from the organization and subsequent reentry. The application of the ILO experience to U.S. participation in other international organizations is also examined, as is the development of transnational, transgovernmental and domestic networks and coalitions in the ILO participatory process.

It may be possible to extend this study by utilizing

the 1977-1980 withdrawal period as a focal point in which deep-rooted issues of contention can be examined from the micro-view of individual member state participation. Although this investigation has focused primarily on domestic American participation regarding the ILO, it was postulated from the outset that forces broader than domestic issues alone acted to shape American attitudes toward the ILO.

The expansion of the ILO's mandate following the second world war frequently caused the organization to be propelled into the limelight of politicization. The ILO never satisfactorily resolved the conflict between universality of membership and the Western interpretation of tripartism that ensued following Soviet reentry in 1954. Added to this has been a growing North-South confrontation whereby the developing countries have linked many of their aspirations in the ILO to a more general movement toward the United Nations' New International Economic Order.

Many Western observers have perceived East-West and North-South conflict in international organizations to have become joined over tension in the Middle East. In the ILO, for example, conflict appeared in the form of a 1974 annual conference resolution concerning alleged Israeli violation of trade-union freedoms in Palestine and in other occupied territories; in the 1975 annual conference decision to admit the Palestine Liberation Organization as observers to the conference; and in instances of disregard for due process by many developing countries as well as the Soviet Union and its allies in connection with resolutions condemning Israeli practices.

At the domestic level, in the nearly ten years that have elapsed since the inception of the 1970 ILO financial crisis, the American system of government has undergone significant change. The variables that influenced decision-making during the 1970-1972 financial crisis period would need to be assigned different values if they were to be utilized in the 1980s. Specifically, Watergate and its consequences, the struggle between Congress and the Executive Branch for control of foreign policy, congressional reform, campaign finance reforms, the government regulatory boom of the 1970s and leadership changes are all factors that have influenced both the decision-making process and the American enterprise system. Yet these changes do not appear to signify the introduction of any fundamentally altered directions. The value of variables appears to change over time. New variables are even introduced. But the domestic decision-making process examined in this study appears to be remarkably enduring.

Financial support for portions of this study was generously provided by the University of Geneva's Graduate Insti-

tute of International Studies and through the John Parker Compton Fellowship Program at Princeton University's Center of International Studies, as well as Princeton's Office of Research and Project Administration.

In the course of this project I was encouraged and assisted by many individuals. I wish to give special thanks to professors Jean Siotis, Marlis G. Steinert and Jacques Freymond at the Graduate Institute of International Studies in Geneva; to Professor Harold K. Jacobson at the University of Michigan; and to Professor Leon Gordenker at Princeton University.

Each person who granted me an interview contributed to the development of this study. Many of these individuals expressed a desire to remain anonymous. I will respect their wishes and content myself with expressing my deep gratitude only in this general way.

I would like to express my appreciation to Patricia L. Rogers for her outstanding typing, and to Patricia Feldman and Sharon Silverman for invaluable editorial assistance. I would also like to acknowledge my debt to Ruth Portugal for her editorial comments at an earlier stage of this manuscript.

G.T.K.  
Washington, D.C.  
December, 1979





## CHAPTER I

### INTRODUCTION

#### Purpose

The purpose of this investigation is to examine the nature, structure, program and functional spillover of American tripartite policy formation in and towards the International Labor Organization (ILO), focusing specifically on the Organization's 1970 financial crisis.<sup>1</sup> The investigation included:

(a) A survey of trends in interaction among American trade unions, government and management which may have contributed to development of a labor system containing isolating features in the context of American participation in the ILO;

(b) An examination of the policy formulation governing American tripartite participation in the ILO from 1970-1972, with linkage to events leading to American withdrawal from the ILO in 1977;

(c) An examination of the structure and process of decision-making and policy formation within the bureaucratic elements of the three official units of American representation to the ILO;

(d) An examination of aspects of interunit and intraunit bureaucratic conflict and accommodation, linkage and network creation in American participation in the ILO arena;

(e) An examination of the consequences of both process and program in policy formation among American tripartite units' participation in the arena, including

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<sup>1</sup>N.B. This investigation has followed the ILO's use of the term tripartism, rather than its cumbersome alternate, tripartitism. In the context of this study, tripartism refers to the structural relationship among Governments, Workers and Employers; The terms government, worker and employer are capitalized when they are utilized as ILO tripartite units.

formation of domestic, transnational and transgovernmental coalitions.

### Scope of the Study

This study presents a critical analysis of the American policy-forming and decision-making process within and towards one United Nations specialized agency. Although the study focuses mainly on the 1970-1972 period, broader considerations have been added to provide historical continuity.

While this investigation falls under the rubric of a case study approach, it is not until chapter six that the 1970-1972 period of American-ILO interaction is examined in detail. The preceding chapters serve to introduce environmental factors, structure of American participation and goal expectations. Conclusions are found in chapter eight.

Examination of environmental factors has been divided into two sections: the ILO environment and the United States domestic environment. The section on the ILO environment provides an examination of the Functionalist<sup>2</sup> and Neofunctionalist aspects of the arena, evolution of the ILO, its structure and its contentious aspects. The domestic environment section explores whether aspects of the development of the American labor system may have led to creation of a situation in which ILO programs failed to meet domestic needs of labor and management. In addition, the needs and expectations of participating domestic units and individual actors are examined, as well as their interunit and intraunit interaction.

Investigation of American participation in policy and planning towards ILO decision-making led to the examination of the structural and institutional process in which American government, labor and management formulated their inputs. The examination of the government role primarily considered structural aspects of the Departments of State, Labor and Commerce, the House of Representatives and the Senate. Within the executive agencies, middle-level policy-making mechanisms were treated in detail, while analysis of congressional structure focused on committee, subcommittee and individual patterns. Additionally, structural and institutional

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<sup>2</sup>N.B. The term Functionalism, with a capital "F," is used in the Mitrany and Haas tradition of equating function with organizational task.

aspects of the AFL-CIO and the Chamber of Commerce of the United States, the organizations representing American labor and management respectively in the ILO, have been considered.

As with structure, goal expectations have been divided into government, labor and management categories. Within the governmental sector goal expectations have been further divided by expectations emanating from executive agency and congressional participation. Additional sublevels have been created in accordance with the methodological considerations cited in the method subsection of this chapter. Broadly, these include goal expectations arising from rational (unitary, purposive and value-maximizing) needs, organizational needs and goal expectations of individuals, small groups and coalitions interacting within and among the bureaucracies.

The case study aspect of this investigation is most evident in the treatment of the 1970-1972 crisis period. It has been posited in this study that the appointment of a Soviet citizen as an assistant director general of the ILO, the issue which served as the precipitating factor of the crisis, became joined to a number of outstanding grievances perceived by a segment of American participants. Thus resolution of the crisis became dependent on perception by American participants of improvements involving a number of complex issues which have been explored in chapters six and seven. Examination of the crisis period has been primarily conducted in the context of domestic interaction. The interaction examined has concerned the role of individuals, small groups, coalitions and organizations. The object of this analysis was not to construct a new decision-making paradigm, but to provide a higher degree of unification, or synthesis, of existing frameworks. The attempt was bound to become eclectic, encompassing as it did, organizational theory from Weber to the present, as well as paradigms from a broadly defined bureaucratic politics framework.

Within the field of bureaucratic politics, particular attention was given to the role of two individuals: George Meany, president of the AFL-CIO and John J. Rooney (D. N.Y.), chairman of the House Committee on Appropriations' subcommittee with jurisdiction over ILO appropriations. Investigation of small groups and coalition interaction was primarily limited to congressional and executive agency roles, with particular attention given to the mid-level policy role within the executive branch.

It was questioned whether different organizational structures among participating units may have led to



adoption of differing goal expectations. In this context, substantial differences have been observed between the structure of the executive agency participation, noted for lack of high-level participation by elites, differing constituency demands and informal policy formation by mid-level officials; between congressional structure, noted for autonomy of committees, small group cohesiveness and unequally weighted power distribution among individuals; and between the AFL-CIO and the Chamber of Commerce, both having federative structures with oligarchical power bases supporting strong executive heads.

### Hypothesis

It is hypothesized that:

(a) American participation in the ILO arena has been characterized by a low level of direct relevance of ILO programs to the domestic American labor system;

(b) American participation in the arena has been characterized by a complex decision-making process including: (1) competition, conflict and accommodation among interunit organizations and bureaucracies, bargaining among elites, social-psychological factors affecting individuals and small groups and environmental factors; and (2) idiosyncratic actor inputs;

(c) American participation in the arena has been characterized by poorly articulated and, in instances, conflicting goal expectations, both within and among participating units.

### Findings

Although this study has not led to the development of a new or comprehensive theory which would serve both to explain and predict decisional outcome, it has produced data which would suggest that the decision-making process in this instance has been influenced by a wide range of variables exceeding the parameters of traditional decision-making paradigms.

The preliminary findings suggest that the complex decisional process surrounding the 1970-1972 ILO crisis is both observable and subject to assessment. However, an element of uncertainty may have been injected in the form of subjective, internal logic which appears to have motivated both institutional and individual actors. The degree to which any subjective, internal logic has influenced the decision-making patterns is central to the analysis.

## Patterns of Decision-Making

Policy formation towards the ILO was an interactive process. Distribution of power was not evenly balanced, but as Neustadt has observed, even the President is not free to command by edict. He must persuade. He must convince and cajole until he has formed a workable consensus.<sup>3</sup> Institutional and individual checks and balances have been observed in previous studies of the executive and congressional systems and sub-systems.<sup>4</sup>

The participation of special interest groups both in formal and informal modes has added a destabilizing element into what could loosely be termed a balanced environment. The AFL-CIO's trade union promotion aspect is interwoven into the domestic environmental fabric. However, its wide and seemingly idiosyncratic foreign policy role cannot be said to be subject to the same routine domestic balancing factors. Within the AFL-CIO, the Executive Council members, with the exception of Walter Reuther, gave free rein to George Meany in the foreign policy arena.<sup>5</sup>

A paramount concern of the ILO founders was that government would control their state's worker and employer representatives.<sup>6</sup> Little thought was given to the possibility that one of the nongovernmental units would come to dominate a state's policy-forming process towards the ILO. Yet data from the 1970-1972 period support the hypothesis that this is indeed what occurred. The AFL-CIO leadership was able to influence American policy formation towards the ILO by utilizing a combination of circumstance and pressure.

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<sup>3</sup>Richard E. Neustadt, Presidential Power (New York: John Wiley, 1976).

<sup>4</sup>Richard F. Fenno, Jr., Congressmen in Committees (Boston: Little, Brown, 1973); Idem., The Power of the Purse (Boston: Little, Brown, 1966); David H. Davis, How the Bureaucracy Makes Foreign Policy (Lexington, Mass.: Lexington Books, D.C. Heath, 1972); and Nelson W. Polsby, Congress and the Presidency (Englewood Cliffs, N.J.: Prentice-Hall, 1964).

<sup>5</sup>John P. Windmuller, "The Foreign Policy Conflict in American Labor," Political Science Quarterly, vol. LXXXII, no. 2 (June 1967), pages 205-234.

<sup>6</sup>Eliane Vogel-Polsky, Du Tripartisme a l'Organisation Internationale du Travail (Bruxelles: Institut de Sociologie de l'Université Libre de Bruxelles, 1966), pages 70-71.

Although recent legislation has tightened controls surrounding contributions to election campaigns, the AFL-CIO and the Chamber of Commerce of the United States, two of the nation's most powerful special interest groups, retain significant leverage in both the congressional and executive branches. In the case of the Chamber of Commerce, its interest in ILO affairs was marginal. However, for reasons developed later in this study, the AFL-CIO leadership perceived that the ILO was of significant interest to American labor, as long as the organization met what could be described as the parochial requirements of labor's foreign policy. Data collected from review of congressional hearings, as well as interview data, support the conclusion that the AFL-CIO leadership was able--in the absence of sizable opposition--to utilize its powers of influence to largely control the governmental policy-forming process toward the ILO.

In the United States, unlike most European states, organized labor did not form itself along the lines of a political party. Rather it sought to work with, and to influence those elected officials who appeared sympathetic to labor's causes, or as Samuel Gompers was fond of saying, "to reward our friends and punish our enemies." While trade unions are far from controlling their members' votes, they generally appear to be influential forces.<sup>7</sup> Elected officials are aware of the financial and manpower assistance that organized labor can provide, and many seek to please labor, especially when tradeoff is minimal and the expected payoff is high. In this circumstance, the heavy weighting given to labor's perceptions of policy needs by House and Senate elites with ILO jurisdiction appears to have reflected a willingness by those elected officials to accommodate labor, in the absence of negative tradeoffs.

Within the Departments of Labor and State, the AFL-CIO was given considerable voice in the selection of high-level officials who would formulate international labor policy.<sup>8</sup> Interview data gathered from middle-level officials within the Labor Department's Bureau of International Labor Affairs (ILAB) indicated that officials tended to frame their policy inputs with one eye toward what they perceived the AFL-CIO's position would be, and

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<sup>7</sup> Derek C. Bok and John T. Dunlop, Labor and the American Community (New York: Simon and Schuster, 1970), cite a decline in membership support for political action, despite increased efforts by many unions to broaden member interest in politics, page 24.

<sup>8</sup> See, for example, Delaney appointment, pages 83-84, below.

the other eye focused on House and Senate appropriations committees' attitudes. This left little vision but hindsight for policy formation along substantive program lines.

Thus, although the State Department officials may generally have shared perceptions of the broader needs of United States foreign policy, the proponents of labor's more rigid and functionally specific goals retained an important voice in policy decisions. The reasons are complex and relate in part to the State Department's natural vulnerability resulting from the lack of an influential constituent base and a myriad of internal organizational problems explored in chapter four.

This study suggests that both John J. Rooney, Chairman of the House Committee on Appropriations' Subcommittee on the Departments of State, Justice and Commerce, the Judiciary and Related Agencies; and George Meany, significantly weighted the decisional process, thus giving some initial credence to a framework in which idiosyncratic actors contribute significantly to the decision-making process. Institutional-based decision-making paradigms also served a necessary function in the analysis--if only to categorize the decisional influence amassed by these two individuals.

It might be asked if the AFL-CIO leadership largely was able to determine ILO decisional outcome, why has it been unable to accomplish similar tasks for legislative matters it considers vital, such as abolishment of the Taft-Hartley Section 14(b) Right to Work provision? The answer introduces a factor which has been given insufficient attention in previous decision-making studies: disinterest. Simply stated, the executive branch policy-making role in ILO affairs did not or could not attract the participation of many high-level officials except in rare instances of crisis. Within the House and Senate structure, there was little interest in ILO matters beyond the subcommittees with relevant jurisdiction. It was posited in this study that had there been a consistently high level of concern, as well as perceptions differing from the AFL-CIO's, then more clearly articulated policy positions might have been developed and pursued. The low level of priority accorded to the ILO by the Government unit became self-fulfilling and self-sustaining. Given the manpower and resources allocated by the executive branch, it would have been physically impossible for those responsible to develop a viable, long range outlook, or for that matter, even to participate effectively on a day-to-day basis. Delegations were sent to ILO meetings understaffed and ill-prepared to develop and defend positions of interest to the United States



government; and consequently, criticism was voiced that the arena was being lost to the Communist and the Third World States.

It has been observed that the ILO, more than many other international organizations, was suited to the extension of American free enterprise ideology.<sup>9</sup> Why then did the governmental actors, both individual and institutional, fail to develop a higher level and more viable interest in the arena? Why was a vacuum able to form in which one or two seemingly idiosyncratic actors were able to monopolize the decisional machinery? The premises that the ILO was specially suited for the American free enterprise ideology and that idiosyncratic actors controlled the U.S. participatory machinery require more detailed examination. But in brief, the American difficulty with the ILO appears to be found both in the nature and mandate of the ILO itself, as well as in the complex domestic participatory process.

#### U.S. Benefits

Although the ILO may have had some potential applicability to the United States domestic scene, it was considered by most participants to be irrelevant to domestic needs. At the Paris Peace Conference in 1919, Samuel Gompers expressed his reservation that the ILO's system of labor standards would serve the needs of the United States.<sup>10</sup> By the time of American withdrawal in 1977, the ILO still had not proven advantageous to the United States, as labor understood benefits. In fact, its relevance was still viewed in negative terms by some participants who feared the impact of ILO treaties on domestic legislation. In this atmosphere of domestic irrelevancy, coupled with instances of hostility, the external factors--specifically the cold war conflict and the emergence of the Third World--take on added importance in the analysis of participatory criteria, especially as viewed from the AFL-CIO perspective.

It is in the area of foreign policy objectives that a gap has developed and widened in recent years between

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<sup>9</sup> Robert W. Cox, "Labor and Hegemony," International Organization, vol. 31, no. 3 (Summer 1977), pages 409-410; Idem. as N.M., "International Labor in Crisis," Foreign Affairs, vol. 49, no. 3 (April 1971), pages 519-532 passim; and Ernst B. Haas, Beyond the Nation-State (Stanford: Stanford University Press, 1964), pages 233-238.

<sup>10</sup> Samuel Gompers, Seventy Years of Life and Labor (New York: E.P. Dutton, 1925), vol. II, page 489.

the AFL-CIO and government, articulated through executive branch policy. While the government sought a modus vivendi with the Soviet Union, the AFL-CIO and the Chamber of Commerce continually rejected legitimization of the presence of Communist "Worker" and "Employer" delegates within the ILO.

The seemingly heavy weighting given to the role of the idiosyncratic actors may appear to diminish the importance of contributions from Organizational, Analytic and the Bureaucratic Politics decision-making paradigms of Snyder et al,<sup>11</sup> Simon,<sup>12</sup> Cyert and March,<sup>13</sup> Allison,<sup>14</sup> Halperin,<sup>15</sup> Steinbruner,<sup>16</sup> and others. However, these paradigms have provided the framework within which the internal structure of the organizational base of these potentially subjective inputs can be studied.

This study has raised a number of questions concerning participation by both American government and special interest groups in international organizations. However, one may ask how relevant the ILO experience, colored by its tripartite structure, is to United States participation in other international organizations. Is the experience of units and sub-units in the ILO participatory process transferable to participation in other international organizations? Additionally there is the question of domestic and international impact of participation. For example, have domestic and transnational or transgovernmental networks or coalitions developed as a result of such participation? If the problems encountered by the United States in the ILO are not to be repeated in other international organizations, then some understanding is

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<sup>11</sup>Richard C. Snyder, H.W. Bruck, Burton Sapin (eds.), Foreign Policy Decision-Making (New York: Free Press, 1962).

<sup>12</sup>Herbert A. Simon, Administrative Behavior (3rd edition), (New York: Free Press, 1976).

<sup>13</sup>Richard M. Cyert and James G. March, A Behavioral Theory of the Firm (Englewood Cliffs, N.J.: Prentice-Hall, 1963).

<sup>14</sup>Graham T. Allison, Essence of Decision (Boston: Little, Brown, 1971).

<sup>15</sup>Morton H. Halperin, Bureaucratic Politics and Foreign Policy (Washington, D.C.: Brookings, 1974); and Graham T. Allison and Morton H. Halperin, "Bureaucratic Politics; a Paradigm and Some Policy Implications," World Politics, vol. XXIV, Supplement (Spring 1972), pages 40-79.

<sup>16</sup>John D. Steinbruner, The Cybernetic Theory of Decision (Princeton, N.J.: Princeton University Press, 1974).

necessary of not only the origins of American dissatisfaction, but also the transferability of experiences. These issues are considered in the final chapters and epilogue.

## Sources and Works

### Documents

This investigation has made extensive use of published and unpublished governmental source material, in addition to published AFL-CIO, Chamber of Commerce and ILO documents and oral interviews.

### Congressional documents

Two forms of congressional published documents have been consulted: committee prints of hearings pertaining to United States participation in the ILO and other international organizations, and the Congressional Record from both the House and Senate. Additionally, the General Accounting Office has prepared for Congress a number of reports concerning United States participation in various international organizations. In 1970 it published a report titled U.S. Participation in the International Labor Organization Not Effectively Managed, and in 1977 it published a second report on the ILO, titled Need for U.S. Objectives in the International Labor Organization. The congressional committee prints generally contain testimony by congressional observers to the annual International Labor Conference as well as testimony by representatives from the Departments of State, Labor and Commerce, the AFL-CIO, the Chamber of Commerce and other interested individuals and organizations. Following testimony, the witness is frequently questioned by subcommittee members. All this material, excluding closed session deliberations, is contained in the committee print. Floor action by the House and Senate is found in the appropriate issue of Congressional Record.

### Executive agency documents

Beyond a few general sources such as the Department of State's American Foreign Policy, Current Documents; United States Foreign Policy, A Report of the Secretary of State, and the Department of Labor's Monthly Labor Review, the executive agencies have published little material relating to United States participation in the ILO. However, a wealth of unpublished source material has become available through the provisions of the revised Freedom of Information Act. It has been possible to obtain interagency reports, delegation position papers,

memoranda, agency position papers and other unpublished material. Additionally, certain government officials were helpful in identifying and releasing unpublished non-classified material.

### Interviews

Interviews with government and non-government officials proved to be an invaluable source. Due to the informal aspect of much of the policy and planning towards ILO participation--especially in the governmental sector--documents, published or unpublished, fail to accurately reflect many aspects of the participatory process.

It is recognized that extensive reliance on interview findings may lead to distortion due to bias, misinterpretation, memory failure and numerous other causes. The attempt was made to cross-check interview findings wherever possible, in order to reduce the inherent risks. The interviews were semi-structured, with most questions formulated in advance. Unlike interviews in many survey studies, it was not feasible to utilize a standard interview questionnaire because of the differing areas of specialization of the interviewees. Approximately fifteen interviews were held with government officials, twelve with ILO officials and three each with labor and management representatives. Interviews averaged approximately forty-five minutes. Subjects were guaranteed anonymity in response to questions which they perceived to be sensitive.

The two non-governmental participants--the AFL-CIO and the Chamber of Commerce--have produced remarkably few documents concerning ILO policy, planning and participation. It was necessary to supplement interviews with statements by labor and management participants found in congressional documents and in AFL-CIO publications such as the American Federationist, the AFL-CIO Free Trade Union News and in Chamber of Commerce publications such as Labor Relations Letter and Nation's Business.

An independent newsletter, John Herling's Labor Letter, has provided valuable secondary source material regarding the AFL-CIO participation in the ILO. Articles by A.H. Raskin in the New York Times have also provided important secondary source material regarding interaction among the three American units.

Principal ILO source material consulted has included the Constitution of the ILO and Standing Orders of the International Labor Conference, Governing Body Minutes,



the International Labor Conference, Report of the Director General and Record of Proceedings.

The Literature

United States participation in the International Labor Organization has been examined in a number of doctoral dissertations.<sup>17</sup> However, this study differs from these previous investigations in its attempt to provide an analysis of domestic interaction which has led to formation of objectives and implementation of policy. Although earlier works have examined the ILO as a forum in which results of policy decisions are observed, this investigation's treatment of domestic interaction is more closely related to studies which have investigated the decision-making phenomena within the executive agency bureaucracy, special interest groups and Congress.

The structure and process of domestic American interaction in international organizations has not been subject to extensive examination. Several recent studies do, however, indirectly relate to the topic. Paul Y. Hammond's "Foreign Policy Making and Administrative Politics," in World Politics, 1965, has contended that the

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<sup>17</sup> Doctoral dissertations concerning American participation in the ILO include: Daniel Patrick Moynihan, The United States and the International Labor Organization, 1889-1934 (Fletcher School of Law and Diplomacy, 1960); and Robert I. Hislop, The United States and the Soviet Union in the International Labor Organization (University of Colorado, 1961). Dissertations of slightly less relevance to United States participation in the ILO include: Michael C. Downes, A Study of Soviet Participation in the ILO with Emphasis on the Period 1960-1964 (Notre Dame, 1971); Irving M. Destler, Presidents and Bureaucrats: Organizing the Government for Foreign Policy (Princeton, 1971); E.A. Landy, The Effectiveness of International Supervision--Thirty Years of ILO Experience (University of Geneva, 1966); A. Salah-Bey, L'Organisation Internationale du Travail et le Syndicalisme Mondial, 1945-1960 (University of Lausanne, 1963); Sheldon W. Simon, The International Labor Organization and Foreign Policies: an Interlevel Analysis Focusing on the Relation between International Consensus Formation and National Political Development (University of Minnesota, 1964); M.C. Wang, The Development of ILO Procedures for Making and Implementing International Labor Conventions between 1945 and 1957 (Columbia University, 1959); and Thomas G. Weiss, International Bureaucracy, and Analysis of Functional and Global International Secretariats (Princeton University, 1974).

policy-making focus has increasingly shifted from the Executive and Congress to the federal bureaucracy, and bargaining among the bureaucratic actors is becoming a significant factor in foreign policy decision-making. Previously cited works by Morton Halperin and Graham T. Allison would suggest that aspects of conflict and accommodation within domestic and transgovernmental bureaucracies may be relevant to the study of bureaucratic decision-making outside of the national security framework.

David H. Davis' study, How the Bureaucracy Makes Foreign Policy, 1972, has investigated State Department interactions with NASA, the Labor Department and the Treasury Department, and has focused primarily on the horizontal rather than vertical organizational ties. Davis' analysis has made extensive use of economic concepts in his treatment of interagency interaction and benefits perceived from interaction. His analysis of interaction between the State Department and the Labor Department's International Labor Affairs Bureau has been of particular relevance to this study.

Peter J. Katzenstein's 1974 article, "International Interdependence: Some Long-Term Trends and Recent Changes," in International Organization has traced implications of increased transnational and transgovernmental interdependence, as have recent research by Keohane and Nye, Lindberg and Scheingold, Haas, Cox and Hopkins.<sup>18</sup> Peter Woll's Public Policy, 1974, has systematically analyzed aspects of domestic interaction among major political institutions in policy making, including interest groups, Congress, the Executive and executive agencies. Among numerous studies of Congress, several have examined aspects relating to ILO participation and subunit linkage.

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<sup>18</sup> Robert W. Cox (ed.), The Politics of International Organizations (New York: Praeger, 1970); Idem., and H.K. Jacobson (eds.), The Anatomy of Influence (New Haven: Yale University Press, 1973); Idem., "The Executive Head: An Essay on Leadership in the I.L.O.," International Organization; Idem., "On Thinking About Future World Order," World Politics, vol. XXVIII, no. 2 (January 1976), pages 175-96; Robert O. Keohane and Joseph S. Nye, "Transgovernmental Relations and International Organizations," World Politics, vol. XXVII, no. 1 (October 1974), pages 39-62; Leon N. Lindberg and Stuart A. Scheingold, Europe's Would-be Polity (Englewood Cliffs, N.J.: Prentice-Hall, 1970; Ernst B. Haas, Beyond the Nation-State and Raymond F. Hopkins, "The International Role of 'Domestic Bureaucracy,'" International Organization, vol. 30, no. 3 (Summer 1976), pages 405-32.

Richard F. Fenno, Jr., in Power of the Purse, 1966, has provided empirical and descriptive studies of the appropriations process, interaction with executive agencies and House-Senate linkage. In his more recent study, Congressmen in Committees, 1973, Fenno has examined the general environmental constraints and the decision-making process in the Appropriations, Education and Labor, and Foreign Affairs committees, each holding some jurisdiction in American participation in the ILO. Leroy Rieselbach's Congressional Politics, 1973, has utilized Easton's systems analysis approach to study structural and substantive aspects of congressional committees, linkage between executive agencies and Congress, pressure group interaction and congressional oversight. Ernest S. Griffith and Francis R. Valeo, in Congress, Its Contemporary Role (5th edition), 1975, have also written an extensive study of congressional linkage with the Executive, pressure group interaction and congressional foreign policy role. Donald P. Warwick's A Theory of Public Bureaucracy, 1975, has used as a case study the Department of State. Warwick and his associates have examined congressional linkage, structural elements and external environmental aspects, but largely have restricted the study to the 1973 period.

Interaction between business associations and trade unions have been examined in James Q. Wilson's Political Organizations, 1973, in the domestic context; and Werner J. Feld's Nongovernmental Forces and World Politics, 1972, has investigated global implications and transnational aspects of business and labor, including American government-business and American government-trade-union linkage.

The literature on American participation in the ILO has generally given less emphasis to the employer representation. This may be a reflection of the level of general public consciousness concerning this segment of the American industrial community. Business associations clearly have not been as conspicuous as labor in foreign policy participation, and as indicated, lack labor's homogeneity. Nevertheless, American business is far from lacking in means to influence government foreign policy, as American Business and Public Policy, 1964, has demonstrated. The authors, Raymond A. Bauer, Ithiel de Sola Pool and Lewis A. Dexter have focused on business pressure groups, and have described how American business, like labor, has utilized pressure groups to seek government support for perceived domestic and foreign policy objectives.

Anthony Alcock's History of the International Labor Organization, is, as the title suggests, broader in scope than this study. However, Alcock has provided an

account of both American and Soviet participation from the earliest period through the 1960s. Alcock has included substantial material on domestic American interaction, especially on the period following the second world war through the 1950s. Because the book was written as a quasi-official history of the ILO, Alcock was granted wide access to ILO archives, including the archives of the cabinets of the various directors general.

Moynihan's work has contributed to the exploration of early American government, management and trade-union response to both international labor legislation and to the formulation of the International Labor Organization at the Peace Conference in Paris following the first world war. Moynihan has also provided a detailed historical account of American response to the ILO during the 1920s and 1930s. Of particular significance is his outline of the isolated international position of Samuel Gompers.

Two other important works concerning the development of the ILO are James T. Shotwell's two volume study, The Origins of the International Labor Organization (New York: Columbia University Press, 1934), and E.J. Phelan's Yes and Albert Thomas (London: The Cresset Press Limited, 1936, 271 pages).

In addition to the previously cited works of Robert W. Cox, his 1971 Foreign Affairs article, "International Labor in Crisis," written anonymously, as N.M., and his 1977 "Labor and Hegemony," in International Organization, are highly relevant to American participation in the International Labor Organization.<sup>19</sup> In his Foreign Affairs article, Cox has used the occasion of the 1970 withholding of American funds to reassess the ILO's impact both on developed and developing nations. Of particular significance is his examination of AFL-CIO attitudes toward the organization. His more recent article has further explored the effects of the AFL-CIO's foreign policy on the ILO. However, in this article he has examined American withdrawal from the ILO in terms of hegemonic power relations and the emergence of a corporative form of state, both in developed and developing nations.

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<sup>19</sup> Robert W. Cox, "International Labor in Crisis," (by N.M.) Foreign Affairs, and Idem., "Labor and Hegemony," International Organization, pages 385-424.





## CHAPTER II

### THEORETICAL FRAMEWORK

That a study of a particular case will yield information specific to the case is axiomatic. However, from the specific case, data may be collected which will enable the researcher to test general requirements of a theory. Consequently, the possibility exists for spillover from the specific case to a more general application.

For example, although the ILO is a specialized United Nations agency with a largely non-transferable tripartite structure, American participation--especially governmental participation--has followed certain traditional organizational lines. The investigation of United States participation within and towards this structurally unusual organization may then generate some general propositions about the form and content of American formal and informal interaction with other international organizations, especially UN specialized agencies.

#### The Makers of United States ILO Policy

Decision-making literature has become too broad to permit a brief, unfocused review of the literature. Instead, a review focused on decisional paradigms shaped by specific ILO actor attributes will follow in this section. As a preliminary step, the organizational charts in Tables 1-4 will help to identify the actors. Even a rapid glance at these organizational charts would suggest that organizational dissimilarities are present and that significant institutional differences might occur among and within the structures. For example, the factors influencing decisional outcome within an executive branch agency will differ in many instances from those affecting an elected government official or a representative of a special interest group. Beyond this, differing institutional structures can be expected to impose differing demands on subunits and individuals.

Three aspects of decision-making are relevant to this study: the initiation of action; the action process; and the determination of outcome. The plural aspect of American decision-making in the ILO context complicates

the analysis of action, the action channel and outcome. For the purpose of this investigation it was hypothesized that the different domestic decision-making units would not necessarily respond to inputs in identical fashion or to similar action paths.

The approach utilized here was to isolate the participatory units and analyze the decision-making mechanisms within each unit. Data were interpreted through Analytic (Rational Actor), Organizational and Bureaucratic Politics paradigms, in addition to social psychological, environmental and idiosyncratic actor inputs.

It was recognized that the weighted value attributed to each variable might not remain constant among or within participatory units and subunits, either physically or temporally. Furthermore, any combination between or among the four variables would be feasible, and within each variable a limitless number of degrees of application would exist. Using a finite example, on a scale of +1 to 0 to -1<sup>1</sup> at a specific time an executive branch agency might receive a score of +08 in measurement of the application of the Bureaucratic Politics variable, while the score could be significantly lower in the AFL-CIO. On this basis the interaction of variables and the degree of application of each variable to each decisional unit would produce an almost limitless number of permutations and combinations.

Initially the data might appear to be ideal grist for the empiricist's mill. However, the decision was reached to limit the use of empirical tools because it was felt that to overemphasize the importance of precision in these particular sets of data would detract from the more central questions of what combination of individuals, groups and organizations initiate action, how the action channel develops and how outcome is formulated. A more fruitful approach would be to examine the role of each unit and subunit in the 1970-1972 period and in general terms, to assess the inputs from the frameworks.

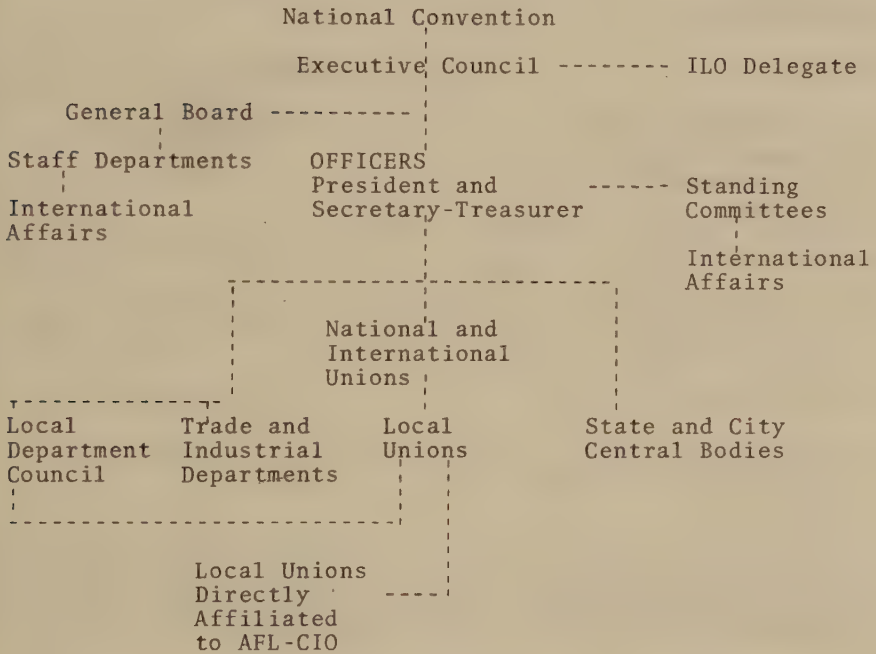
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<sup>1</sup> +1 = highest possible positive influence score  
0 = neutral influence score  
-1 = highest possible negative influence score

TABLE 1

ORGANIZATIONAL CHART: AFL-CIO ILO DECISION PROCESS,  
1970-1972 PERIOD

AFL-CIO



Source: American Federation of Labor and Congress of Industrial Organizations, Publication No. 20.



TABLE 2

ORGANIZATIONAL CHART: CONGRESSIONAL ILO DECISION PROCESS,  
1970-1972 PERIOD

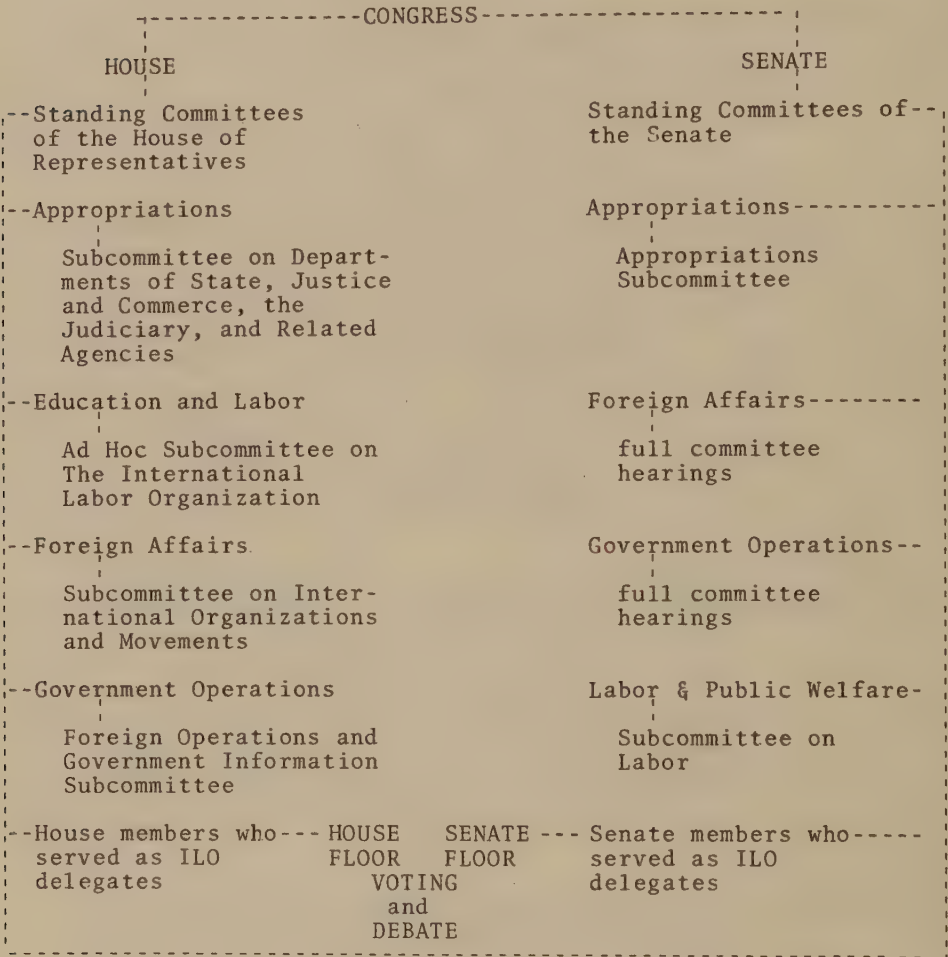
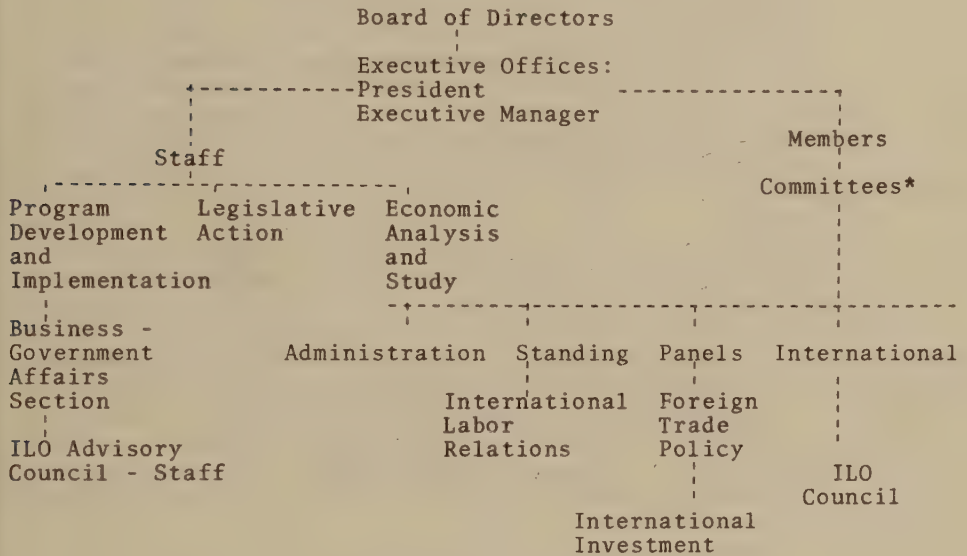


TABLE 3

ORGANIZATIONAL CHART: CHAMBER OF COMMERCE ILO  
DECISIONAL PROCESS, 1970-1972 PERIOD

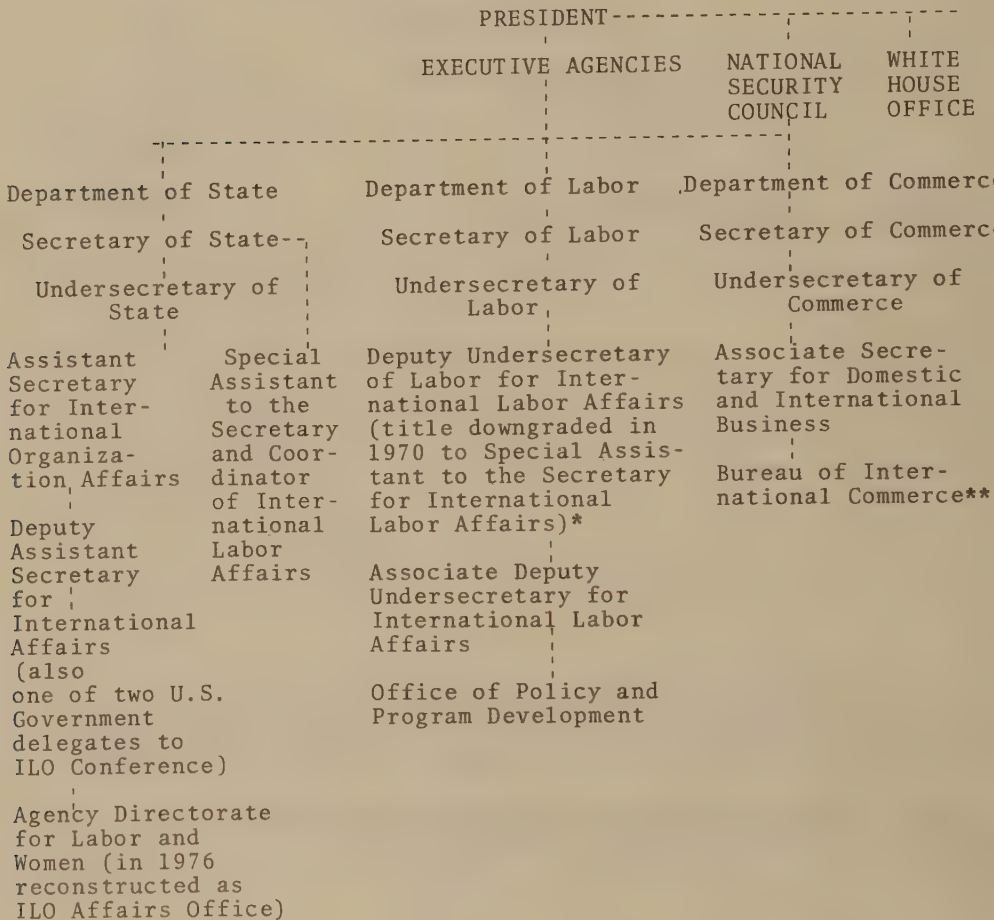


\*Approximately 3,500 Organization members (local, state and regional chambers, American Chambers of Commerce abroad, trade and professional associations): and approximately 57,000 Business members (mostly firms).

Source: A Glimpse of the National Chamber, (Washington, D.C.: Chamber of Commerce of the United States, 1976).

TABLE 4

ORGANIZATIONAL CHART: EXECUTIVE BRANCH ILO DECISION PROCESS,  
1970-1972 PERIOD



\*Individual holding this position is also head of U.S. Government delegation to ILO Conference.

\*\*ILO Coordinator is also substitute U.S. delegate.

## Value Maximization

There has long been a tendency in foreign policy decision-making studies to embrace the premise that conduct is determined by the attempt to relate means to ends in an efficient, value-maximizing manner. At the individual level, this is the essence of the theory of rational choice. Within strictly delimited parameters it remains a powerful analytic tool. However, the tendency to overwork the rationalist approach, to suggest that it applies to small groups, coalitions, organizations and even states in the same context that it applies to individuals; or to suggest that any goal pursued with consistency becomes a "rational" goal is to open the door both to tautology and to ambiguity.

The difficulty may also lie in the tacit acceptance of an overly rigid structuring of the concept of value-maximization. At the risk of simplifying recent advances in the decision-making field, it could be said that the development of alternate frameworks of analysis has been linked to a new focus on the elements constituting value maximization. Specifically, attention is now being given to the demands within organizations, within coalitions and from individuals that serve to advance a maximization of micro goals that were poorly articulated in earlier paradigms that considered structure in terms of the state as a unitary actor.<sup>2</sup>

Decision-making has thus become a significant sub-specialty in the study of politics. Its theories encompass paradigms that range in focus from states as unitary actors to individuals as products of a cybernetic-cognitive process.<sup>3</sup> While the conceptual framework might differ

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<sup>2</sup>See Ronald Rogowski, "Rationalist Theories of Politics: A Midterm Report," *World Politics*, vol. XXX, no. 2, January 1978, pages 296-323 for a further delimitation of rationalist theory.

<sup>3</sup>The terms model, theory and paradigm have been much abused in the literature of decision-making. In the context of this investigation these terms are not intended to be used interchangeably, but represent increasing degrees of precision. To simplify observations by Horelick, Johnson and Steinbruner, if a model is viewed as a system of logical relationships which is internally complete, coherent and constant, then a theory would be more general--a set of assumptions and inferences which have basic coherence and consistency, but lack a degree of enumeration. Paradigms would comprise



greatly among decision-making theories, the purpose remains constant: to develop an explanatory and predictive mechanism to ascertain outcome.

It is not the purpose of this subsection rigidly to classify decision-making theories into one of several paradigms. The paradigms serve to generate broad propositions which can be conveniently examined along the component lines of the Analytic, Organizational, Bureaucratic Politics and other inputs.

### The Analytic Paradigm

Steinbruner in 1974 utilized what he described as an "Analytic" paradigm to portray theories which have attempted to explain or predict how an empirical decisional process works.<sup>4</sup> The paradigm is analytic in the sense that the decisional problem is reduced to major components and a set of assumptions is formulated to relate the process to the aggregate of the components. Steinbruner has stated:

A given process is analytic if. . .there was at least limited value integration,. . .alternative outcomes were analyzed and evaluated, and. . . new information regarding central variables of the problem did plausibly appropriate subjective adjustments.<sup>5</sup>

Although the work of Snyder et al greatly contributed to a reassessment of earlier concepts which viewed decision-making solely among monolithic nation-states, the authors viewed decision-making through a conceptual framework which posited that action emanated from the actor's purposeful decision to pursue one course. It was Snyder's view that

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even more general assumptions, and can be used to generate theories. In turn, a theory which is based on a particular paradigm can give rise to different models. (Arnold L. Horelick, A. Ross Johnson and John D. Steinbruner, The Study of Soviet Foreign Policy: Decision-Theory-Related Approaches (Beverly Hills, Calif.: Sage, vol. 4, series 02-039, 1975), pages 9-10; and James E. Dougherty and Robert L. Pfaltzgraff, Jr., Contending Theories of International Relations (Philadelphia: J.B. Lippincott, 1971), page 316.) The terms framework and conceptual framework have been used as synonyms for paradigm.

<sup>4</sup> John D. Steinbruner, The Cybernetic Theory of Decision (Princeton, N.J.: Princeton University Press, 1974), chapter 3.

<sup>5</sup> Ibid., page 45.

political action was to be understood "in the way its [the state] decision-makers as actors defined their situation."<sup>6</sup>

Yet Snyder did not view the unfolding of state action in a deterministic mold. Rather the actor's situational definition became an "action-hypothesis" constructed around desired or expected outcome. The actors then utilized feedback to adjust action to meet desired outcome.<sup>7</sup>

Allison's Rational Actor Model, cited by Steinbruner as a prime example of the Analytic framework, would appear to be more deterministic than Snyder's regarding the issue of who makes decisions. The decisions occur, but the origin of occurrence is viewed as being of less importance than the resulting action. According to Allison's views, analysts of the Rational Actor persuasion assume that it is necessary to explain behavior that reflects the purpose or intention leading to specific action. Furthermore, these analysts work from the premise that the actor is a national government and that the actor selects specific action calculated to solve a strategic problem. The analyst explains both the goal that the actor was pursuing and how the action was viewed as a reasonable choice.<sup>8</sup>

### Rationality

Rationality remains a central concept in the Analytic process. Beyond stating that consistent, value-maximizing choice within specified constraints is generally a characteristic of rationality, the term has been widely and loosely used by political analysts and theorists. For example, Morgenthau suggests that the analyst put himself in the place of the decision-maker and ask himself what are the "rational" alternatives from which the decision-maker may select an action course, and under what set of circumstances is the decision-maker likely to select a specific course.<sup>9</sup>

Allison does not question the value-maximizing component of rationality, but states that a rigorous model would posit specified payoff or utility, specified alternatives and known consequences.<sup>10</sup> A model of rational

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<sup>6</sup>Snyder, Foreign Policy Decision-Making, page 65.

<sup>7</sup>Ibid., pages 45-46.

<sup>8</sup>Allison, Essence of Decision, page 13.

<sup>9</sup>Morgenthau, Politics Among Nations, pages 5-6.

<sup>10</sup>Allison, Essence of Decision, page 31.

action which would enable the decision-maker to classify all possible consequences flowing from his selection of goals and objectives, to examine all possible sets of alternatives and consequences, and finally, to select an action path that would maximize the payoff would indeed be a model of low uncertainty risk. However, Steinbruner has noted that ". . . a clear, firm, incorrigible connection simply does not exist."<sup>11</sup> He has said that when the uncertainty level is high much of the decisional problem involves the creation of a logical connection between specific values and the course of action under consideration.<sup>12</sup>

Decision-makers utilizing the Analytic scheme will investigate a range of possible outcomes for any course of action and they will utilize available information in selecting their choice of action. Although the decision-makers may seek to formulate and utilize a valid model of their environment in the selection of their action courses, theorists have noted that the data required to develop the model would place excessive strains on the information processing system.

It has been said that the concept of the state as a unitary actor, selecting a course of action that reflects consistency and purpose, is central to the classical interpretation of the Analytic or Rational Actor Model. But beyond this, how is rationality to be interpreted at the subunit and individual actor level?

Basic to an interpretation of rationality in decision-making is the need for an agreement concerning who or what are the decision-makers. Snyder, for example, has stated:

It is one of our basic methodological choices to define the state as its official decision-makers--those whose authoritative acts are, to all intents and purposes, the acts of the state. State action is the action taken by those acting in the name of the state. Hence, the state is its decision-makers. State X as actor is translated into its decision-makers as actors. It is also one of our basic choices to take as our prime analytic objective the recreation of the "world" of the decision-makers as they view it (emphasis his).<sup>13</sup>

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<sup>11</sup> Steinbruner, The Cybernetic Theory of Decision, pages 339-340.

<sup>12</sup> Ibid.

<sup>13</sup> Snyder et al, Foreign Policy Decision-Making, page 65.

In an Analytic study of politics rarely is the reference to one individual's rationality, but to that of the state as a collectivity. Yet the term is frequently utilized as though rationality in the individual was a shorthand description for collective rationality. However, it would require a monumental leap of faith to assume that the attributes of rationality in the individual would remain constant in rationality of the collectivity.

Herbert Simon's exploration of the limits of rationality in decision-making has further reduced any notion that collective and individual rationality are synonymous. Simon's contribution has not been merely to refute utilitarian or classical economic models of "rational" man.<sup>14</sup> Modern social scientists beginning with Freud have questioned the assumption that individuals are always rational--i.e., that individuals attempt to maximize goals. Simon has postulated a system of "bounded rationality." Within his framework behavior is based on the concept of "satisficing"<sup>15</sup> rather than maximizing. Thus the distinction between the rational and nonrational aspects of social behavior become less clearly defined.<sup>16</sup>

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<sup>14</sup> Herbert A. Simon, Administrative Behavior, 3rd edition (New York: Free Press, 1976); and Idem., Models of Man (New York: Wiley, 1957).

<sup>15</sup> Central to Simon's decision-making theory is the simplification of choice to bring it within the limits of human computation. "The key is replacement of the goal of maximizing with the goal of finding a course of action that is 'good enough.'" (pages 204-205) Simon has noted that alternatives are often examined sequentially, and when this is the case, the first satisfactory alternative to be evaluated becomes the one selected. Idem., Models of Man, page 252.

<sup>16</sup> Ibid., pages 76-77. According to the Simon definition, "...rationality is concerned with the selection of preferred behavior alternatives in terms of some system of values whereby the consequences of behavior can be evaluated." But to clarify, Simon has suggested using the term "rational" with an appropriate adverb. "Then a decision may be called 'objectively' rational if in fact it is the correct behavior for maximizing given values in a given situation. It is 'subjectively' rational if it maximizes attainment relative to the actual knowledge of the subject. It is 'consciously' rational to the degree that the adjustment of means to ends is a conscious process. It is 'deliberately' rational to the degree that the adjustment of means to ends has been deliberately brought about (by the individual or by the organization). A decision is 'organizationally' rational if it is oriented to the organization's goal."



While the concept of rational behavior can be an important explanatory tool, it suffers from several limitations, both in the general context and in the specific case of American decision-making in the ILO arena.

First, as Simon has noted, it would take infinite powers to compute all the possibilities which the rigors of a "comprehensive rationality" framework would demand.<sup>17</sup> The value functions, alternatives and consequences in a real-world environment cannot be absolutely determined. Simon's "bounded rationality" framework, which is further developed by Allison and Steinbruner, would determine the major features of the problem without invoking the complexities of the more rigorous model.<sup>18</sup>

Secondly, the Analytic framework presupposes a unitary actor, either in the individual or organizational context. American decision-making in the ILO arena is based on a plurality of decision-makers. Hislop was able to make limited use of a variant of the Analytic framework in his analysis of Soviet participation in the ILO because the criteria for a unitary actor has more viability in the centralized Soviet environment than in the pluralistic American context.<sup>19</sup>

Despite the limited application of a unitary actor paradigm in the American decisional process towards the ILO, significant contributions can be made by utilizing this method of analysis in areas where consensus exists among decision-makers, thus producing a quasi-corporate or state unitary actor. This would be valid, for example, in those broad areas which George and Keohane have defined as characterizing "irreducible" national interests: physical survival, liberty and economic subsistence.<sup>20</sup>

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<sup>17</sup> Ibid., pages 29-30.

<sup>18</sup> Steinbruner also concluded that it was beyond any decision-maker's capacity to develop a comprehensive environmental model. However, according to Steinbruner's assumption of uncertainty control, the decision-maker simply avoids direct calculation of outcome. (Steinbruner, The Cybernetic Theory of Decision, page 66.)

<sup>19</sup> This is not to suggest that political interest groupings and internal political divisions do not exist within the Soviet Union, but rather that this fragmentation of authority has not been evident in its ILO participatory role. See Robert Hislop, "The United States and the Soviet Union in the International Labor Organization."

<sup>20</sup> Alexander L. George and Robert O. Keohane, "The Concept

Within the context of American participation in the ILO, U.S. actors have voiced perception of consensus regarding foreign policy benefits, but as the General Accounting Office noted, "these objectives were broadly defined and not very susceptible of measurement."<sup>21</sup>

### Uncertainty

Steinbruner has said:

. . . a clear, firm, incorrigible connection between basic values and concrete decisions simply does not exist. Under conditions of intense uncertainty, therefore, a significant part of a decision problem is simply that of forging a credible, logical tie between fundamental values and the particular course of action being contemplated.<sup>22</sup>

Decision-makers utilizing the Analytic framework will investigate a range of possible outcomes for any course of action and they will utilize available information in formulating their judgments. The decision-makers would seek to formulate and utilize a valid model of their environment in the selection of their action courses. However, many theorists have noted that the data required to develop this model would exceed the capacity of the system.

Although the improbability that any decision-maker would be capable of developing a comprehensive model is widely acknowledged, several existing frameworks have been used to explain how the decision-maker attempts to reduce and control uncertainty. For example, Simon, Allison and Steinbruner find a common denominator in the "bounded" or constricted environmental model in which the actor seeks to limit the number of action paths available. The number of incoming variables is limited and serious calculation of alternate outcomes are reduced.

### Organizational and Bureaucratic Politics Paradigm

Allison has posited the existence of two models:  
Organizational Process and Governmental (Bureaucratic)

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of National Interests: Uses and Limitations," in Commission on the Organization of the Government for the Conduct of Foreign Policy, Appendix D, vol. 2 (June 1975), pages 67-68.

<sup>21</sup> See page 101, below.

<sup>22</sup> Steinbruner, The Cybernetic Theory of Decision, pages 339-40.

Politics.<sup>23</sup> His Organizational Process model would view decision-making as the result of outputs of large organizations which he says function according to standard behavior patterns.<sup>24</sup> The concept of consistent, value-maximizing and deliberate choice is absent in this model.

In contrast, Allison's Governmental Process model would focus on the role of the individual decision-maker, but unlike the classical Rational Actor Model, there is no unitary actor, and no single strategic issue. Instead, many players (actors) and many issues interact. The players set their objectives in terms of their perceptions of national, organizational and personal goals. Allison states that the players "make government decisions not by a single, rational choice but by the pulling and hauling that is politics."<sup>25</sup>

Allison's point that there are competing and conflicting interests is well taken, but it should be recalled that it is intellectually linked to earlier studies of the decision-making process by Simon,<sup>26</sup> March,<sup>27</sup> and Cyert and March.<sup>28</sup> His decision to categorize the organizational process and the bureaucratic politics process as distinctly separate models suggests a more clear-cut separation than was found to exist in the case of American domestic policy formation towards the ILO.

It is important to keep a distinction between the organizational and individual or group variables which contribute to the decision-making process. The conclusion that one set of variables was largely responsible for the selection of a particular action course might be upheld in instances, but it would be hazardous to suggest that as a general theory either of these models could be utilized alone to explain and predict outcome.<sup>29</sup>

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<sup>23</sup>Allison, Essence of Decision, pages 67 and 144.

<sup>24</sup>Ibid., pages 67-68.

<sup>25</sup>Ibid., page 144.

<sup>26</sup>Simon, Administrative Behavior; Idem., Models of Man.

<sup>27</sup>James G. March and Herbert A. Simon, Organizations (New York: Wiley, 1968).

<sup>28</sup>Cyert and March, A Behavioral Theory of the Firm (Englewood Cliffs, N.J.: Prentice-Hall, 1963).

<sup>29</sup>It was not Allison's intention to utilize one model as the sole source of explanation. He has said that the models can complement each other and can be used in combination (pages 258, 277).

## The Organizational Process

According to the view developed by March and Simon and later Cyert and March, and further articulated by Steinbruner, an organization is a coalition of individuals with differing goal expectations. However, the individuals are grouped into functionally specific subunits and behavior is coordinated within the subunit so that a coherent policy is formulated.<sup>30</sup>

It would appear that a principal difference between the organizational and the bureaucratic politics patterns is the degree to which individuals either coordinate their behavior within a general subunit policy or attempt to modify organizational goals to include other objectives such as national or personal goals.

It has been observed with the Analytic model that computing even a limited number of variables can result in an unmanageable number of possible outcomes. To avoid the recurrence of this problem in the organizational context Cyert and March have posited that decisions specific to the subunit are viewed both separately and sequentially by those at the top of the organizational hierarchy. This results in a fragmentation of complex problems and a sequential attention to goals by high-level decision-makers.

Cyert and March developed a procedure for selecting and defining organizational goals which includes: (1) bargaining process by which the composition and general terms of the coalition are fixed; (2) the internal organizational process of control by which objectives are stabilized and elaborated; and (3) the process of adjustment to experience by which coalition agreements are altered in response to environmental changes.<sup>31</sup>

Cyert and March have further postulated that the process of decision-making in the modern firm can be analyzed in terms of the variables that affect organizational goals, organizational expectations and organizational choice. Sets of variables affecting organizational goals include those influencing dimensions of goals (composition of the organizational coalitions, division of labor in decision-making) and those pertaining to value placed by the coalition on the particular goal.<sup>32</sup>

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<sup>30</sup> Steinbruner, The Cybernetic Theory of Decision, pages 71-72.

<sup>31</sup> Cyert and March, A Behavioral Theory of the Firm, page 114.

<sup>32</sup> Ibid.



In contrast, Simon has distinguished between goals--value premises that can serve as inputs to decisions--and motives--whatever causes elites to select certain goals as premises for their decisions.<sup>33</sup>

Cyert and March view organizational expectations as the result of inferences which are developed from available data. The variables considered include those that affect either the inferential process or the data gathering process.

Organizational choice occurs in response to a problem. The process involves identification of an alternative that is acceptable "from the point of view of evoked goals." Variables considered are those that affect the order of consideration of alternatives, those that influence the definition of a problem within the organizational structure and those that influence the standard decision rules.<sup>34</sup>

### Bureaucratic Politics

Theorists including Allison,<sup>35</sup> Halperin,<sup>36</sup> Neustadt,<sup>37</sup> Almond,<sup>38</sup> and Lindblom<sup>39</sup> have made contributions within a framework in which outcome is seen as a result of a complex bureaucratic-political process where individuals and their organizations interact and compete for power and

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<sup>33</sup>Simon, Administrative Behavior, page 258.

<sup>34</sup>Cyert and March, A Behavioral Theory of the Firm, pages 115-116.

<sup>35</sup>Allison, Essence of Decision.

<sup>36</sup>Morton E. Halperin, Bureaucratic Politics and Foreign Policy (Washington, D.C.: Brookings, 1974); and Allison and Halperin, "Bureaucratic Politics: A Paradigm and Some Policy Implications," World Politics, vol. XXIV, Supplement (Spring 1972), pages 40-79.

<sup>37</sup>Richard E. Neustadt, Presidential Power.

<sup>38</sup>Gabriel Almond, The American People and Foreign Policy (New York: Harcourt, Brace, 1950), page 269.

<sup>39</sup>Charles E. Lindblom, The Intelligence of Democracy (New York: Free Press, 1965); Idem., The Policy-Making Process (Englewood Cliffs, N.J.: Prentice-Hall, 1968).

influence.<sup>40</sup>

The Allison Governmental Politics Model has viewed events as "resultant" of bargaining strategy among elite players in the national government. The model would seek to determine "which results of what kinds of bargaining among which players" would produce the critical acts.<sup>41</sup> His unit of analysis is called the political resultant, and variables include perceptions, motivations, positions, power and strategy by elites.<sup>42</sup>

According to Allison,

. . .the Governmental (or Bureaucratic) Politics Model sees no unitary actor but rather many actors as players--players who focus not on a single strategic issue but on many diverse intranational problems as well; players who act in terms of no consistent set of strategic objectives but rather according to various conceptions of national, organizational, and personal goals; players who make government decisions not by a single, rational choice but by the pulling and hauling that is politics.<sup>43</sup>

The Paradigm has incorporated elements of game theory into the kind of elite actor structure that Almond described as characterized by a large number of independent competing groups; and an environmental system in which there is a small, well informed core interacting in the decision-making process.<sup>44</sup>

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<sup>40</sup>Influence, as defined by Cox and Jacobson, means the modification of one actor's behavior by the behavior of another actor. They define power in terms of capability. It is viewed as the aggregate of political resources available to the actor (Anatomy of Influence, pages 3-4). Saunders and Gordenker have defined power as a measure of the effectiveness of a force in a given application; and influence is equated with the use of information. Hence, they view political power as the successful use of information ("Executive Leadership and Influence in International Organizations," unpublished, International Studies Association, Washington, D.C., 1978, page 20).

<sup>41</sup>Allison, Essence of Decision, page 6.

<sup>42</sup>Ibid.

<sup>43</sup>Ibid., page 144.

<sup>44</sup>Gabriel Almond, The American People and Foreign Policy, pages 136-145.

Within this framework, power is widely dispersed, guaranteeing autonomy. The bargaining process occurs as elites group together, based on some element of common interest, in order to pursue policy objectives. The pursuit of goals becomes dependent on a minimum level of consensus.<sup>45</sup> As Hilsman observed, the bargaining process among elites is one of "conflict and consensus-building."<sup>46</sup> Neustadt has described both the popular image of "Presidents-in-boots, astride decisions," and the more functional model of "Presidents-in-sneakers, stirrups in hand, trying to induce particular department heads or congressmen, or senators to climb abroad."<sup>47</sup>

Schilling has stated that conflicts resulting from divergent institutional interests and approaches are inherent in the policy-making process. He has noted two groupings of policy conflict among government elites: conflicts reflecting diversity of opinion; and conflicts reflecting institutional differences and boundaries.<sup>48</sup> Lindblom's "incremental" decision-making orientation has viewed the process through mutual adjustment. He has posited that most decisions made in a bureaucracy are made by the various actors adjusting their behavior to each other, rather than through the classical Weberian hierarchical system. Interaction among decision-makers does not depend on a central coordinator, but on the means that actors select to communicate their positions. For example, this can be accomplished either directly or through a negotiation process.<sup>49</sup>

If Hammond's assertion that the focus of foreign policy making has increasingly shifted from the "public governmental sector" to the "privileged governmental sector" (from the Executive and Congress to the bureaucracy), then the mutual adjustment process among elites may significantly alter perceptions of micro aspects in foreign policy decision-making.<sup>50</sup>

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<sup>45</sup> Ibid.

<sup>46</sup> Roger Hilsman, To Move a Nation (Garden City, N.Y.: Doubleday & Co., Inc., 1967), pages 550-562.

<sup>47</sup> Richard E. Neustadt, "White House and Whitehall," (Francis E. Rourke, ed.), Bureaucratic Power in National Politics, 2nd edition (Boston: Little, Brown, 1972), page 174.

<sup>48</sup> Warner R. Schilling, Paul Y. Hammond and Glen J. Snyder, Strategy, Politics and Defense Budgets (New York: Columbia University Press, 1962), pages 21-22.

<sup>49</sup> Charles E. Lindblom, The Intelligence of Democracy, chapter 4.

<sup>50</sup> Paul Y. Hammond, "Foreign Policy Making and Administrative Politics," World Politics, vol. 17, no. 4 (1965), pages 656-71.

There is some similarity between the Allison-Halperin Bureaucratic Politics Paradigm and the formulation of a cybernetic-cognitive process envisaged by Steinbruner.

Steinbruner has asserted that the main problem with the Allison-Halperin type of formulation is that its assumptions appear to require massive calculations by the decision-maker, and that these calculations would make the decision-making task impossibly complex. In order to reduce the complexity, Steinbruner had developed a cybernetic paradigm which would enable the analyst to utilize a simple set of principles to examine what would appear to be a very complex action. At the core of the paradigm is the notion of short-cycle information feed-backs and elimination of uncertainty.<sup>51</sup>

Additionally, Steinbruner has posited that there is a need to augment the simple cybernetic assumptions through a cognitive principle which would take into account the human mind's capacity to make inductive references "which summarize the specific information of immediate experience in terms of general images, ideas, propositions. . ."<sup>52</sup>

Seeking to link the cognitive and the cybernetic, Steinbruner has stated:

. . .it is cognitive operations of the human mind working in interaction with the organizational structure of the government which set workable limits on highly diffused decision problems, and it is cybernetic theory, thus supplemented, which offers a base paradigm for political analysis competitive with the rational position.<sup>53</sup>

Steinbruner's cybernetic theory is partially an outgrowth of earlier work by Simon, and Cyert and March who have viewed the organizational decision-making forces in terms of coalitions and subunits seeking to "satisfice" within the parameters of a simplified theory of causality. Neustadt, Almond and Lindblom have also examined decision-making in the context of elite players whose collective outcome is not necessarily founded on rational choice, but on consensus.

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<sup>51</sup>Steinbruner, The Cybernetic Theory of Decision, pages 78, 86-87.

<sup>52</sup>Ibid., page 51.

<sup>53</sup>Horelick, Johnson and Steinbruner, The Study of Soviet Foreign Policy, page 21.



## Social Psychological Input

Until recently few political scientists ventured into the realm of social psychology to explore an alternative avenue of decision-making, one that has stressed the effects of group cohesiveness and conformity to norms.<sup>54</sup> Of particular relevance has been the work of Irving Janis, a social psychologist, who has developed a psychological framework of causality to account for a number of foreign policy successes and failures.<sup>55</sup>

The function of group dynamics would appear to be especially important during non-crisis periods of American participation in ILO policy-formation. During these periods the decision-making process appears to fall predominantly within the purview of mid-level units within the bureaucratic structures.

For example, in the Labor Department, ILO policy and planning has come under the authority of a subunit of the International Labor Affairs Bureau. At the Department of State the organizational unit has been Women and Labor.<sup>56</sup> Within the AFL-CIO a subunit of the International Affairs branch was responsible for day-to-day policy, and within the Chamber of Commerce this task has fallen to a subunit of the Labor Law branch. Size of these subunits ranged from one to five individuals. Within Congress the subunit was slightly larger depending on the size of the subcommittee.

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<sup>54</sup> Examples from group behavior literature include: Kurt Lewin, "Group Decision and Social Change," in Theodore Newcomb and Eugene Hartley (eds.), Readings in Social Psychology (New York: Holt, 1947), pages 197-211; Leon Festinger, Stanley Schachter and Kurt Back, "Operation of Group Standards," in Dorwin Cartwright and Alvin Zander (eds.), Group Dynamics (New York: Harper & Row, 3rd edition, 1968), pages 152-164. Not all political scientists have, in the past, avoided social psychology. See, for example, Karl Deutch, The Nerves of Government (New York: Free Press, 1963); and Joseph De Rivera, The Psychological Dimension of Foreign Policy (Columbus, Ohio: Merrill, 1968).

<sup>55</sup> Irving I. Janis, Victims of Groupthink (Boston: Houghton-Mifflin, 1972).

<sup>56</sup> Until 1976 ILO affairs were handled by the Bureau of International Organization Affairs' Agency Directorate for Women and Labor, in July a new office of International Labor Organization Affairs was established within the Bureau. (General Accounting Office, Need for U.S. Objectives in the International Labor Organization (Washington, D.C.: 1977), page 19.

In instances where the participation has moved incrementally towards crisis operations, higher-level officials within the organizational structure became active participants. In this context, Allison's Bureaucratic Politics model would assume an elite player perspective:

Most problems are framed, alternatives specified and proposals pushed, however, by Indians. Indians fight with Indians of other departments. . . . But the Indians' major problem is how to get the attention of Chiefs, how to get an issue on the action-channel. . .<sup>57</sup>

The social psychological conceptual framework would suggest that potentially a far more serious problem may exist for the "Indians"--the small subunits of mid-level bureaucrats. The problem Janis has described is one of social pressure that enforces cohesiveness within groups. A real danger would appear to exist that groups evolve informal objectives to preserve the intergroup relations--possibly at the expense of decision-making based on more objectively perceived substantive issues.

Lewin has stated that a group can best be defined "as a dynamic whole based on interdependence rather than on similarity."<sup>58</sup> Janis has focused on the interdependency he encountered while conducting research on groups of heavy smokers attending a smoking reduction clinic. Janis noticed an apparently irrational tendency for members to exert pressure on each other to increase smoking as the final meeting approached. This was explained by Janis as a display of mutual dependence and resistance to the termination of the group sessions--but clearly not rational in terms of achievement of the stated goal: to reduce smoking.<sup>59</sup> Janis has termed this seemingly irrational behavior "groupthink."

While Janis has used the groupthink process to examine fiascos in American foreign policy, aspects may be applicable to the study of small group interaction in the general organizational milieu. But as we will note, not all small groups interacting in American ILO policy formation share the situational circumstances and structural features that enable the psychological aspects to dominate. Janis

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<sup>57</sup> Allison, Essence of Decision, page 177, emphasis his.

<sup>58</sup> Kurt Lewin, Resolving Social Conflicts (New York: Harper, 1948), page 184.

<sup>59</sup> Janis, Victims of Groupthink, page 8.

has hypothesized that groupthink occurs most readily when both cohesiveness and insulation are found in the group.<sup>60</sup> The combination may produce consensus in which: (1) the group discussions are limited to a few alternative courses of action and the group fails to reexamine both the initially preferred and rejected courses of action; (2) there is little or no attempt by the group to obtain sound estimates from experts; (3) there is selective bias in group reaction to factual information and external judgments; and (4) little group deliberation about how a selected policy might fail, and consequently, failure to develop contingency plans.<sup>61</sup>

The psychological dimension is bound to the Bureaucratic Politics paradigm in two respects. First there is the psychological aspect of the individual player. In this respect the personality of the individual undoubtedly forms a cluster of variables, although measurement for the political scientist is both uncertain and hazardous. Secondly, however, is the psychological aspect of player bargaining and intergroup relations. De Rivera's investigation of consensus formation within the organization has built upon the previously cited work of Almond, Hilsman, Neustadt, Shilling and others. Simply stated, the psychological framework developed by De Rivera would view policy as well formed if it is based on good interpersonal relations. This holds true whether the relations are between members of an ingroup, between rival groups sharing no common ground, or between competing groups bargaining for consensus.<sup>62</sup>

#### Environmental Factors

The decision-making models, theories and paradigms previously cited have examined the process in terms of individuals, bureaucratic politics and organizational behavior. Whatever validity these frameworks possess, either in their sum or in their individual components, there are, in addition, factors rooted in the broader environmental milieu which complement these approaches.

Perrow has said that the organization is shaped by its environment.<sup>63</sup> But the particular environment which

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<sup>60</sup> Ibid., page 197.

<sup>61</sup> Ibid., page 10.

<sup>62</sup> Joseph B. De Rivera, The Psychological Dimension of Foreign Policy, page 360.

<sup>63</sup> Charles Perrow, Organizational Analysis: A Sociological View (Belmont, Ca.: Brooks/Cole, 1970).

has shaped the American decision-making process is complex, ill-defined and too long shrouded in a Weberian theory of bureaucracy which did not provide for the plurality of interaction found in the American decision-making process.

If one were to look at the American free enterprise system and ask, "What holds it together?" or "What are the sources of conflict and accommodation?" then the search would most likely turn towards an inquiry into the social dynamics of the society. This is not to suggest that this investigation posits the existence of a deterministic environment. However, as the Sprouts have observed, there exists an aggregate of physical objects and social patterns which comprise the maximum set of potential environmental factors.<sup>64</sup> The relationship of environmental factors to the specific context is dependent on the analyst's definition of the problem and utilization of a particular framework or sets of frameworks.

This study examines the proposition that there may exist features in the fabric of the American free enterprise system which caused American participation to be both unique and isolated in its representation in the ILO arena. This leads to a further inquiry concerning the nature and process of interaction among business, trade unions and government, and their respective subunits. The approach is somewhat similar to that taken by Selznick in his study of the Tennessee Valley Authority, in which he has shown the existence of a causal relationship between the environment and the organization.<sup>65</sup>

In the context of the ILO, the environment is examined in the broader frame of impact of the free enterprise system on U.S. policy and planning, and more specifically, in terms of interaction with the organizations participating in the ILO representation.

#### The Idiosyncratic Element

The above review of decisional phenomena has focused on the relevance of rational actor, organizational, bureaucratic politics, social psychological and environmental inputs to the American ILO decision-making process during the 1970 to 1972 period.

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<sup>64</sup>Harold and Margaret Sprout, "Environmental Factors in the Study of International Politics," The Journal of Conflict Resolution, vol. 1, no. 1 (1957), page 311.

<sup>65</sup>Philip Selznick, TVA and the Grass Roots (Berkeley: University of California Press, 1953), pages 10-15.



As the investigation progressed it became evident that sufficient attention would also need to be given to the possible role of an essentially idiosyncratic condition that occurs when an individual player or organizational actor is able to pass beyond the confines of a particular paradigm and formulate policy without significant attention to the forces that would serve to check and balance the player's role were he operating within the boundaries of the framework or frameworks.

Historically, the American federal system has functioned within a network of checks and balances to prevent the development of a dominant branch of the federal bureaucracy. Injected into this system has been the notion that competing interest groups can be viewed as a positive feature because they provide an additional check on unequal distribution of power.

At the outset of this investigation it appeared that the role of the unencumbered, idiosyncratic actor was a significant determinant in one subunit and a contributing determinant in another subunit. It appeared that George Meany, President of the AFL-CIO, played a lead role in the shaping of both trade union and government ILO policy. It appeared that within virtually open-ended parameters, loosely defined by a combination of historical trade-union foreign policy position and a weak executive council role in foreign policy areas, George Meany and several trade-unionists developed policy positions reflecting both an individualized and subjective viewing of American labor's foreign policy role.

As the investigation progressed it became clear that although Meany's role in the 1970-1972 ILO decisional period was pivotal, contributing factors reduced the scope for idiosyncratic action. The attempt has been made in chapters four and five to demonstrate that George Meany's policy positions, while largely outside the range of the inputs previously cited, were linked to a greater continuity of the AFL and AFL-CIO historical trends. This can be seen both in domestic legislative and bargaining trends and in foreign policy issues such as trade barriers and expansion of foreign markets and trade union movements, as well as in the more emotional issues surrounding trade-union perceptions of socialism and communism.

Both the Allison-Halperin Bureaucratic Politics model and the Steinbruner Cybernetic-Cognitive framework view individual actor goals and individual actor interaction in terms of the "player." However, the capacity for idiosyncratic actor behavior that exists within the semi-autonomous congressional committee and subcommittee structure

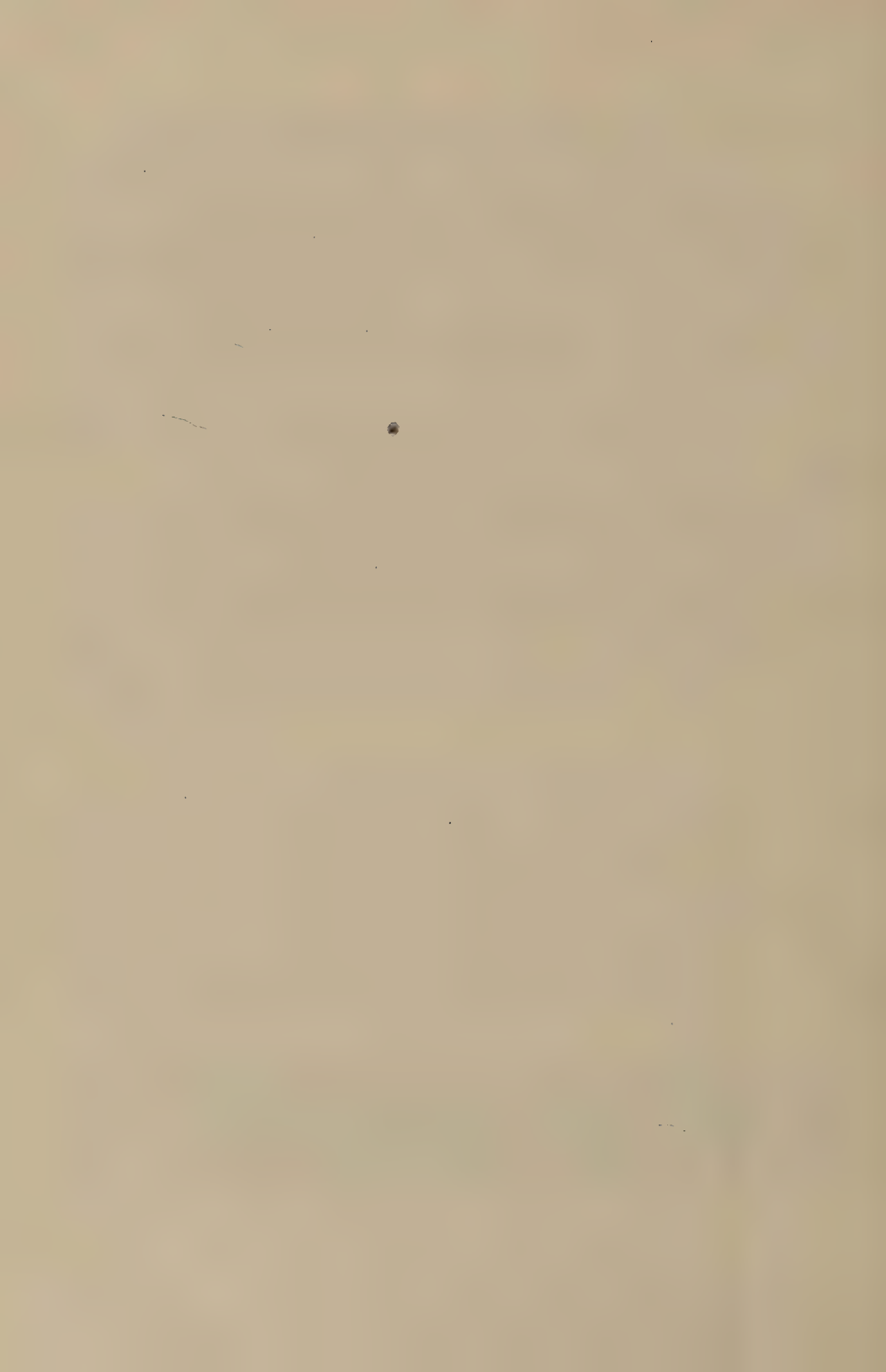
would appear to be outside the boundary of the player interaction envisaged in these frameworks.<sup>66</sup>

For example, behavior by Congressman John J. Rooney, Chairman of the House Appropriations Committee's subcommittee with jurisdiction for funding of the portions of the State Department budget concerning contributions to United Nations specialized agencies, would appear to reflect a limited idiosyncratic actor role. Although he was head of a largely autonomous decision-making unit, indirect peer and constituent pressure contributed to the formation of loose boundaries. The degree of responsiveness is examined in chapters six and seven.

Idiosyncraticity may be viewed as a contributing or dominant factor within a decision-making framework. Idiosyncratic decisions, or decisions with idiosyncratic elements, are, ipso facto, not fully amenable to prediction or explanation along the lines of previously discussed decisional paradigms. However, the organizational, structural and environmental milieu is important both in shaping the form and scope of possibility for idiosyncratic behavior. Therefore, even if one individual were largely able to monopolize the American ILO decision-making process, the previously discussed paradigms would serve to delimit action.

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<sup>66</sup>The boundary would appear to be fluid. When the player bargains with his counterparts his behavior would fall within the two frameworks; but when the player is able to make decisions outside of the bargaining process, the capacity for idiosyncratic behavior would increase.



## CHAPTER III

### ENVIRONMENT

The object of this chapter is twofold: first briefly to explore evolutionary, programmatic and structural aspects of the external environment--the ILO setting--and secondly, to investigate aspects of the internal environment--specifically whether the development of the American labor system may have led to creation of a situation in which the function and scope of substantive program areas of the ILO became largely irrelevant to the domestic needs of American labor and management.

#### The ILO Environment

##### Functionalist Aspects of the Arena

The ILO is unusual in the United Nations system in that its official participants include worker and employer representatives as well as government delegates. This tripartite structure is of intrinsic interest to the student of international relations because certain aspects are directly related to the normative theoretical framework of the nineteenth and early twentieth century thinkers, leading to the development of functionalist theories most prominently expounded by Henri de Saint-Simon.<sup>1</sup> In the 1920s, J.A. Salter's Allied Shipping Control added to the concept of technocratic linkage, but David Mitrany, writing mostly in the 1940s and 1950s, is generally credited as the chief exponent of functionalism.<sup>2</sup> Much of Mitrany's functionalist theories were systematized and reformulated by Ernst B. Haas and his former students.<sup>3</sup>

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<sup>1</sup>C-H de Saint-Simon, La Physiologie Sociale, oeuvres choisies (Paris: Presses Universitaires de France, 1965); and F.M.H. Markham (ed.), Henri Comte de Saint-Simon (Oxford: Basil Blackwell, 1952).

<sup>2</sup>David Mitrany, A Working Peace System (London: Royal Institute of International Affairs, 1943).

<sup>3</sup>Ernst B. Haas, Beyond the Nation-State and Leon N. Lindberg and Stuart A. Scheingold, Europe's Would-Be Polity.



The reformulation of Mitrany's work by "neofunctionalist" theorists led to increased interest in integration studies during the past two decades. The idea was to investigate the processes which would increase the amount of integration in the international system. Despite the initial appearance of success in studies of custom union integration, by the 1960s it was apparent that neofunctionalist integration models lacked ability accurately to predict outcomes.

However, by the late 1960s political scientists were turning to investigation of a phenomenon derived from early functionalist theory: transnational and transgovernmental network creation. This represented a shift away from the "Realist" focus on states as units, to a recognition that semi-autonomous bureaucracies within governments or transnational actors such as the multinational enterprise may be playing an increasingly important role in the international system.<sup>4</sup> Robert W. Cox has noted that this approach functions within the parameters of bureaucratic activity and can provide little guidance about changes in the parameters--that is, changes in balance of factors within the state.<sup>5</sup>

When the ILO was founded in 1919 it was envisaged that the official voice given to workers and employers would produce a formula of confrontation along functionally specific lines, leading to eventual synthesis and agreement. Confrontation in the postwar era, however, generally followed political and ideological, rather than functional lines.<sup>6</sup>

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<sup>4</sup>Robert C. Keohane and Joseph S. Nye, Jr., Transnational Relations and World Politics (Cambridge, Mass.: Harvard University Press, 1972); Idem., "Transgovernmental Relations and International Organizations," World Politics; Raymond F. Hopkins, "The International Role of 'Domestic' Bureaucracy," International Organization; Karl Kaiser, "Transnational Politics: Toward a Theory of Multinational Politics," International Organization, vol. 25, no. 4 (Autumn 1971); Ernst B. Haas and John Gerald Ruggie (eds.), "International Response to Technology," International Organization, vol. 29, no. 3 (Summer 1975), especially Ruggie: "Concepts and Trends," and Haas: "Is There a Hole in the Whole?"; Samuel P. Huntington, "Transnational Organizations in World Politics," World Politics, vol. XXV, no. 3 (April 1973).

<sup>5</sup>Robert W. Cox, "On Thinking about Future World Order," World Politics, page 192.

<sup>6</sup>Idem., "ILO: Limited Monarchy," in Cox and Harold K. Jacobson (eds.), The Anatomy of Influence (New Haven: Yale University Press, 1973).

The ILO tripartite structure clearly has grown beyond the lines envisaged by its founders, but nevertheless, the possibility exists that the ILO, both as an arena and a participant, may yet be playing a functionalist role in the context of a combination of transgovernmental, transnational or even domestic bureaucratic network formation.

Although autonomous from the League of Nations, until 1934 the ILO suffered from the consequences of the same conspicuous American absence. However, there are critics who would say that since Soviet re-entry in 1954, the ILO has suffered from the consequences of American presence in the form of unwillingness by U.S. Worker and Employer delegates to adapt to the trend towards universality. This is a complex issue, which is given greater consideration in chapters six and seven. Windmuller has noted that, contrary to the belief of some participants, the ILO before Soviet re-entry was not a nonpolitical body treating purely technical issues.<sup>7</sup>

That there has been a considerable lack of unanimity and equanimity among member states should not be surprising considering the range of issues and programs placed before the ILO in the last two decades. The organization's elites have perceived the mandate to be open-ended, and consequently task expansion has broadened and has sometimes been disputed either by members or by other agencies. The changing pattern of political conflict and alignment among member states and member subunits has been most noticeable in issues of high politics such as the Cold War and emergence of Third World states.<sup>8</sup>

Although the American withdrawal from ILO membership in 1977 is beyond the direct scope of this investigation, the events leading to the decision are an important aspect of the period under study. According to the U.S. Government, the issues which led to American withdrawal included perceived erosion of the tripartite structure, particularly regarding the worker and employer subunits, perceived selective enforcement of human rights standards, perceived disregard for "due process," and perceived increasing

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<sup>7</sup>John P. Windmuller, "U.S. Participation in the ILO; the Political Dimension," James L. Stern and Barbara D. Dennis (eds.), Industrial Relations Research Association Series, Proceedings of the Twenty-Seventh Annual Winter Meeting, San Francisco, Dec. 28-29, 1974, p. 102.

<sup>8</sup>See, for example, Anthony Alcock, History of the International Labor Organization (London: Macmillan, 1971), page 318 ff.

politicization of the ILO arena.<sup>9</sup>

In 1964, Haas speculated in Beyond the Nation-State that the United States, a country largely free from the tyranny of poverty and abuses of a non-democratic, non-pluralistic system, had become a "deviant client" with respect to consensus in the ILO. He acknowledged that the issues were numerous and interlocked: (a) hostility by American industrial opinion to the idea of improving the standard of living through legislation and preference for free collective bargaining tied to productivity increase; (b) dedication to the principle of free enterprise capitalism by workers and employers; (c) hostility by labor to perceived "socialism"; (d) general employer opposition to all ILO legislation, fearing both perceived loss of national sovereignty and "creeping socialism"; (e) lack of relevance of ILO labor codes for U.S. workers, generally already having standards well above the ILO minimum; (f) a shared perception by workers and employers of American leadership in a post-second world war global anti-communist campaign; and (g) issues relating to the American federal structure.<sup>10</sup>

Certainly many aspects of the American participatory activities in the ILO from 1970 to 1972 would support Haas' contention that the United States was a "deviant client with respect to ILO consensus." However, two additional points may also be of relevance.

First, the very process of decision-making may have led to selection of courses of action that were consistent with the perceptions of needs resulting from East-West, and later North-South political tensions. This, at the cost of not targeting on the social issues within the ILO mandate: social issues such as employment-creation, land reform in the rural sector and promotion of basic economic and social rights not tied to a political, or according to Cox, "hegemonic" interpretation.<sup>11</sup>

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<sup>9</sup>Communication from Secretary of State Henry A. Kissinger to ILO Director-General Francis Blanchard, in ILO press release, November 6, 1975.

<sup>10</sup>Haas, Beyond the Nation-State, pages 233-34.

<sup>11</sup>Robert W. Cox, "Labor and Hegemony," International Organization, pages 387-400. Cox accepts the concept of hegemony developed by Antonio Gramsci in which power based on dominance over production is rationalized through an ideology incorporating compromise or consensus between dominant and subordinate groups. While the dominant groups

Secondly, we return to the question of the character of the American labor system. Cox's hegemony concept is related to the central focus of this investigation. It is a focus that explores the linkage among organized labor, management and government in the preservation and expansion of a modified capitalist system. Furthermore the question is raised as to whether the linkage would preclude consensual rather than deviant participation in the ILO.

### Evolution and Structure

Numerous antecedents to the ILO can be traced to nineteenth and early twentieth century reform movements such as the International Federation of Trade Unions and the Berne Conference.<sup>12</sup> The decision by the Allies at the Paris Peace Conference to establish an International Labor Commission was, in this sense, a logical continuation of earlier efforts to establish international labor standards and to improve conditions of work and life for the laborer. Although Samuel Gompers was elected chairman, it was British government proposals which provided the basis for much of the discussion, in which Léon Jouhaux of the Confédération Générale du Travail (CGT) played a key role.<sup>13</sup> The ILO became an autonomous part of the League of Nations, and following the demise of the League of Nations, it became a specialized agency of the United Nations.<sup>14</sup>

Resulting from the work of the Labor Commission was the formation of an intergovernmental organization with a tripartite representational system. Each member state is represented at the International Labor Conference, the legislative body of the ILO, by four delegates: two government delegates, one delegate representing organized labor and one delegate representing employers.

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are willing to make some concessions to satisfy the subordinate groups, the dominant groups are not willing to endanger their dominance. Cox posits that not only has the AFL-CIO participated in the development of an American corporative state, but has also supported an American hegemonic role in foreign affairs.

<sup>12</sup> John W. Fellows, Antecedents of the International Labor Organization (Oxford: Clarendon Press, 1952), page 161.

<sup>13</sup> James T. Shotwell (ed.), The Origins of the International Labor Organization (New York: Columbia University Press, 1934), vol. 1, page 161.

<sup>14</sup> Alcock, History of the ILO, chapter 1.



## The International Labor Conference

The Conference is the forum in which international labor standards are adopted, either as Conventions or Recommendations. Additionally the program and budget are adopted every two years by the Conference, and social and labor issues are discussed. These issues may take the form of Resolutions. Conference work is subdivided into groups in which the Government, Employer and Worker delegates meet separately to formulate their respective positions. This process of transnational linkage has traditionally been of greater importance to the Worker and Employer groups, which unlike the Government unit, have generally attempted to achieve unity based on common interests.

## The Governing Body

The executive organ of the ILO is the Governing Body, which is also tripartite, and in the ratio of two Government members to one Worker and one Employer member. While the Government members represent their respective states, the Worker and Employer members of the Governing Body are considered to be representatives of all workers and employers.<sup>15</sup> The ILO constitution provides that ten out of the twenty-eight government seats on the Governing Body will be non-elective and held by "states of chief industrial importance."<sup>16</sup> The constitution also provides the Governing Body with the authority to: (a) set the agenda for each session of the Conference; (b) elect the Director-General; (c) set in motion Resolutions; action on Conference Resolution; and (d) follow up the application by member states of Conventions and Recommendations.

The Governing Body has come to rely extensively on a committee structure, in which most issues are examined, not by the full body, but by the tripartite committee under whose jurisdiction a particular issue falls. Among the committees are Financial and Administrative, Standing Orders and Application of Conventions and Recommendations, Industrial Committees and Freedom of Association.

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<sup>15</sup>Constitution of the International Labor Organization (Geneva: ILO, 1975), article 7, section 4.

<sup>16</sup>Ibid., article 7, section 2.



TABLE 5

## GOVERNING BODY MEMBERSHIP\*\*\*

|                |            |           |
|----------------|------------|-----------|
| Market Economy | Developing | Socialist |
|----------------|------------|-----------|

1951 - 1954

Government:

|                  |           |
|------------------|-----------|
| Belgium          | Brazil *  |
| Canada *         | Chile     |
| Finland          | China *   |
| France *         | India     |
| Italy *          | Iran      |
| Portugal         | Mexico    |
| United Kingdom * | Pakistan  |
| United States *  | Venezuela |

Worker: (regular members)

|                |          |
|----------------|----------|
| Australia      | Chile    |
| France         | India    |
| United Kingdom | Pakistan |
| United States  |          |
| Sweden         |          |

Employer: (regular members)

|                |         |
|----------------|---------|
| Belgium        | India   |
| France         | Mexico  |
| South Africa   | Uruguay |
| United Kingdom |         |
| United States  |         |

1969 - 1972

Government: (regular members)

|                  |                 |                |
|------------------|-----------------|----------------|
| Canada *         | Brazil          | Romania        |
| France *         | Central African | Czechoslovakia |
| Italy *          | Republic        | USSR           |
| Japan *          | China **        |                |
| United Kingdom * | Colombia        |                |
| United States *  | Ecuador         |                |
| Federal Republic | India *         |                |
| of Germany *     | Indonesia       |                |
|                  | Kenya           |                |
|                  | Libya           |                |
|                  | Nigeria         |                |
|                  | Syria           |                |
|                  | Uruguay         |                |
|                  | Vietnam (South) |                |

|                |            |           |
|----------------|------------|-----------|
| Market Economy | Developing | Socialist |
|----------------|------------|-----------|

1969 - 1972

Worker: (regular members)

|                                |           |      |
|--------------------------------|-----------|------|
| Canada                         | Cameroons | USSR |
| Federal Republic<br>of Germany | Mexico    |      |
| Japan                          | Morocco   |      |
| Norway                         | Tunisia   |      |
| Switzerland                    |           |      |
| United Kingdom                 |           |      |
| United States                  |           |      |

Employer: (regular members)

|                                |         |
|--------------------------------|---------|
| Canada                         | Brazil  |
| Federal Republic<br>of Germany | India   |
| France                         | Iran    |
| Sweden                         | Lebanon |
| United Kingdom                 | Mexico  |
| United States                  | Niger   |

\* State of chief industrial importance.

\*\* Prior to 1971 China, a state of chief industrial importance, was represented by the Taiwan government. Although in 1971 the ILO recognized the mainland government as the sole government of China, the PRC has not yet participated in the ILO.

\*\*\* Source: International Labor Conference, 61st Session, Geneva, June 1976, Committee on Structure, Handbook of Data Information on Structure, 2nd edition, revised, pages 6-25.

Tables 6 and 7 indicate the size, group percentage and change in group percentage in the two periods 1951-1954 and 1969-1972. The data indicate a decline in market economy government membership from 50% in 1951-1954 to 29% in 1969-1972. In the same periods government membership in developing states increased from 50% to 58% and planned economy government membership increased from 0% to 12.5%.

Market economy worker membership declined from 62.5% in 1951-1954 to 58.3% in 1969-1972. During the same periods developing states' membership declined from 37.5% to 33.3% and planned economy membership increased from 0% to 8.3%. Market economy employer membership declined from 62.5% in 1951-1954 to 50% in 1969-1972. Developing states' membership increased during the same periods from 37.5% to 50%. Socialist membership remained at 0% during both periods.

With the exception of the decline in developing states' worker membership, it would appear that this group has made substantial membership gains during the later period. However, it should be noted that membership of developing states' government delegates has come through election, not through the automatic seating process accorded to states of chief industrial importance.

Representation of planned economy states has increased in all groups except employers, where membership has remained at 0% during both periods. The USSR is accorded its seat in the Governing Body based on its position as a state of chief industrial importance; however, Romania and Czechoslovakia were both elected in the 1969-1972 period.

#### The Director General

The individual serving as the director general, the head of the International Labor Office, has traditionally caused the Office to play a dynamic role in the ILO arena. The nominal tasks of the Office include the implementation of operational programs and the carrying out of technical cooperation projects, preparation of first drafts of labor standards and promotion of their application, preparation of reports and provision of services for the International Labor Conference, the Governing Body and other conferences and meetings.

However, the director general, from the time of Albert Thomas to David A. Morse and beyond has acquired the tacit authority to influence member state interaction, and as such, has become a dynamic element in the inter-

TABLE 6

Governing Body

Group and Size Percentage

1951 - 1954

|            | Market Economy |       | Developing |       | Socialist |    | Total |
|------------|----------------|-------|------------|-------|-----------|----|-------|
|            | no.            | %     | no.        | %     | no.       | %  |       |
| Government | 8              | 50%   | 8          | 50%   | 0         | 0% | 16    |
| Worker     | 5              | 62.5% | 3          | 37.5% | 0         | 0% | 8     |
| Employer   | 5              | 62.5% | 3          | 37.5% | 0         | 0% | 8     |

1969 - 1972

|            | Market Economy |       | Developing |       | Socialist |       | Total |
|------------|----------------|-------|------------|-------|-----------|-------|-------|
|            | no.            | %     | no.        | %     | no.       | %     |       |
| Government | 7              | 29%   | 14         | 58.3% | 3         | 12.5% | 24    |
| Worker     | 7              | 58.3% | 4          | 33.3% | 1         | 8.3%  | 12    |
| Employer   | 6              | 50%   | 6          | 50%   | 0         | 0%    | 12    |

TABLE 7

GOVERNING BODY MEMBERSHIP - percentage of change

|                | 1951 - 1954 | 1969 - 1972 |
|----------------|-------------|-------------|
| Government:    |             |             |
| Market Economy | 50%         | 29%         |
| Developing     | 50%         | 58%         |
| Socialist      | 0%          | 12.5%       |
| Worker:        |             |             |
| Market Economy | 62.5%       | 58.3%       |
| Developing     | 37.5%       | 33.3%       |
| Socialist      | 0%          | 8.3%        |
| Employer:      |             |             |
| Market Economy | 62.5%       | 50%         |
| Developing     | 37.5%       | 50%         |
| Socialist      | 0%          | 0%          |

action process that occurs within the ILO. Morse, President Truman's former Acting Secretary of Labor, used his influence primarily to build member consensus and to reduce East-West conflict.<sup>17</sup> He was also instrumental in moving the Organization away from its almost exclusive concern with standard-setting towards an increased services orientation.

Budget trends have reflected the ILO's changing orientation. Cox has observed that in 1950 the provision of specific services accounted for twenty per cent of the regular budget and the Forum Activities (principally the setting of labor standards) accounted for eighty per cent. Also in 1950 the regular budget accounted for eighty-six per cent of the ILO funds, while fourteen per cent was in the form of extra-budgetary funds.<sup>18</sup> While the ratio of Services to Forum has remained fairly constant in the regular budget, by 1970 approximately forty-five per cent of ILO funds came from extra-budgetary sources, mostly from the United Nations Development Program.<sup>19</sup> These funds were chiefly earmarked for technical cooperation projects.

#### Contentious Areas

The mandate of the ILO, as broadened by the Philadelphia Declaration of 1944, encompassed a wide range of issues which were to become politicized through continued East-West confrontation. The Philadelphia Declaration gave legitimacy to the Organization's movement into the economic sphere with the statement that:

All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.

This was followed by the statement that:

All national and international policies and measures, in particular those of an economic and financial character, should be judged in

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<sup>17</sup>Cox, "ILO: Limited Monarchy," page 119, also Idem., "The Executive Head: an Essay on Leadership in the ILO."

<sup>18</sup>Idem., "ILO: Limited Monarchy," pages 105-6.

<sup>19</sup>ILO, International Labor Conference, Program and Budget for the Biennium 1972-1973 (53rd Financial Period) (Geneva: 1971), page 119.



this light. . . .<sup>20</sup>

While the enlarged mandate may have been developed to ensure a role for the ILO in the new United Nations system, it caused the ILO's tasks, more than ever, to be joined to political issues of the day. Not only was the ILO's new mandate so broad as to ensure that program elements were of political as well as technical concern, but also the American delegation, beginning in the 1960s, expressed concern that political issues beyond the ILO's mandate were being introduced, especially in the form of Conference Resolutions.<sup>21</sup>

Had there been consensus among major power members, the expansion of the ILO's mandate would not, *ipso facto*, have led to conflict. However, the re-entry of the Soviet Union in 1954 caused any semblance of political consensus to evaporate. The conflict between the United States and the Soviet Union has been of major impact to virtually every aspect of the ILO, up to American withdrawal.

The flood tide of new member states from the Third World has also influenced the structure of the ILO. Voting patterns in the Conference have undergone substantial change. The market economy states, which were virtually able to control conference voting outcome in the 1950s, could no longer muster a majority in the 1970s. Furthermore, with the entrance of Eastern European states in the 1950s and Third World states in the 1960s and 1970s new alliance patterns have developed. Both the Eastern Bloc and many Third World states have found common cause in working towards structural changes that would reduce the influence of the industrialized free-enterprise states.

#### The Domestic Environment

As of January 1977, the ILO's International Labor Code included 147 Conventions. Of these, the United States had ratified seven relatively insignificant Conventions pertaining to procedure and maritime issues.<sup>22</sup>

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<sup>20</sup> ILO Constitution, "Declaration Concerning the Aims and Purposes of the International Labor Organization."

<sup>21</sup> U.S., Congress, House, Committee on Foreign Affairs, Subcommittee on International Organizations and Movements, U.S. Participation in the International Labor Organization, Part III, Winning the Cold War: The U.S. Ideological Offensive, 88th Congress, 1st session (1963), page 271.

<sup>22</sup> International Labor Organization, Chart of Ratification, 1 January 1977.

The low level of American ratification has been partially explained in terms of duplication of existing domestic standards, inapplicability to the United States federal structure, and concern by Congress that ratification of international obligations might adversely affect national sovereignty.<sup>23</sup>

The number of ratifications, of course, is not the only measure of ILO relevance to American domestic needs; however, it has provided a focal point for the investigation of factors which have shaped United States participation in the ILO arena. The parameters of ILO relevance to American domestic needs have been set, in part, historically by American environmental factors.<sup>24</sup> Students of labor history have provided numerous explanations to account for the development of the American labor system, which has been noted for its material, rather than social or political orientation, and has also been noted systemically for its emphasis upon collective bargaining and local trade union autonomy rather than national political action or industry-wide agreements.<sup>25</sup>

Historical reviews of the American labor movement have made reference to environmental factors such as geographical elements, ethnic heterogeneity, an early realization of an egalitarian system, individualism within a productivity oriented culture, mobility of capital and labor, rapid development of American industry, lack of class factors and resistance of American employers to both unionism and negotiation of collective agreements.<sup>26</sup> Clearly the list of environmental factors could be extended. For example, the expanding western frontier provided a sociological element lacking in the European labor context. Although environmental factors may have indirectly set parameters for the growth of the American labor system, it is the interaction among organized labor, employers and government which has become central to the systemic structure.

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<sup>23</sup>Haas, Beyond the Nation-State, page 234.

<sup>24</sup>Vivian Vale, Labor in American Politics (New York: Barnes and Noble, 1971), pages 3-5.

<sup>25</sup>Derek C. Bok and John T. Dunlop, Labor and the American Community, chapter 7.

<sup>26</sup>See Selig Perlman, A Theory of Labor History (New York: Macmillan, 1948), pages 154-169; and E.E. Cummins, The Labor Problem in the United States (New York: D. Van Nostrand, 1935), pages 10-13.

It could be persuasively argued that the initial and violent employer resistance to trade-union development was to be expected in the context of the laissez-faire economic atmosphere of the eighteenth and nineteenth centuries. As in Europe, the trade unions in the United States were formed by artisans in the early industrialization period.<sup>27</sup> Employer response to the artisans' attempt to achieve higher wages and better working conditions through collective action was to seek legal remedies. It was not until 1842 that the Supreme Court of Massachusetts even recognized the right of freedom of association.<sup>28</sup>

Following the Civil War and the subsequent growth of railroads, trade unions began to develop on a national basis. Early attempts to form national organizations floundered. First there was the abortive National Labor Union, which lasted only a few years in the late 1860s. This was followed in 1869 by the Noble and Holy Order of the Knights of Labor, a somewhat mystical group opposing strikes but favoring boycotts and cooperative movements.<sup>29</sup>

#### American Federation of Labor

Samuel Gompers is generally credited with establishing the American Federation of Labor (AFL).<sup>30</sup> The AFL was an organization of autonomous craft unions, and its purpose was to protect skilled craftsmen by negotiation and collective bargaining. The unskilled or semi-skilled worker was destined to remain largely unorganized well into the twentieth century.

In the nineteenth century two forms of unionism were offered to the labor force: economic unionism and political unionism.<sup>31</sup> The AFL approach reflected a belief that strong unions would possess the economic strength to achieve labor goals. Gompers was emphatic that the AFL would not seek to form a new political party but would support those political elites friendly to labor.<sup>32</sup>

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<sup>27</sup> Philip Taft, Organized Labor in American History (New York: Harper & Row, 1964), page 4.

<sup>28</sup> Commonwealth v. Hunt, in Taylor and Witney, Labor Relations Law, pages 20-21.

<sup>29</sup> Vale, Labor in American Politics, page 11.

<sup>30</sup> Philip Taft, The AF of L in the Time of Gompers (New York: Harper & Brothers, 1957), chapters 1-3.

<sup>31</sup> Sanford Cohen, Labor in the United States, 3rd edition (Columbus, Ohio: Charles E. Merrill, 1970), page 96.

<sup>32</sup> AFL Convention Proceedings, 1894, page 14.

The success of the AFL and the subsequent defeat of the radical labor philosophy, as symbolized by the International Workers of the World (IWW), has been a watershed in the development of the American labor system. Full recognition and acceptance of trade unions has been a long and bitter struggle in the United States.<sup>33</sup> But the success of the AFL established the form that labor participation would follow.

Detailed and sophisticated legislation has formed a precise framework in which the American labor system functions. However, Gompers and many subsequent trade-union elites have been cautious, if not hostile toward any legislation perceived as limiting the scope of union jurisdiction. For example, in the case of the Sherman Anti-Trust Act, Gompers had little faith in the effectiveness of government to control monopolies. It was Gompers' belief that strong labor unions, free from government restrictions, could police industry.<sup>34</sup> Gompers was especially concerned about court injunctions preventing union action against employers, and wanted union exemption from prosecution under anti-trust laws.<sup>35</sup> Indeed, a key tenet of Gompers' volunteerism was freedom from government intervention.

Later, Gompers' position towards labor legislation would influence American participation in the formation of the ILO. In Paris, Gompers, president of the Peace Treaty's labor commission noted:

At once and continuously there was apparent the difference between the Old World and the New. Our political, social, and economic philosophy and methods are in sharp contrast as they have grown out of different environments and natural characteristics. . . . The Old World was accustomed to dealing with labor problems through legislation and it was natural for Old World representatives to think of international labor problems only in the terms of international legislation.<sup>36</sup>

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<sup>33</sup>ILO, The Trade Union Situation in the United States (Geneva: 1960), pages 15-21.

<sup>34</sup>Samuel Gompers, Seventy Years of Life and Labor, vol. II, pages 24, 284-87.

<sup>35</sup>Ibid.

<sup>36</sup>Ibid., vol. II, page 489.



It would not be accurate to picture Gompers and the AFL as opposing all legislation. One of the AFL's objectives stated in its constitution was to secure legislation that would be in the interest of the working people.<sup>37</sup> However, the AFL's fear that legislation would restrict its jurisdiction led to its support of what could be construed as extreme positions. For example, through the early 1930s the AFL leadership remained opposed to unemployment compensation, old age pensions and minimum wage legislation, on the grounds that it constituted government intervention.<sup>38</sup>

Additionally, it is not surprising that Gompers, who moved from early socialist leanings to active opposition to any form of socialism or communism,<sup>39</sup> might have come into conflict with the European statesmen and labor leaders in Paris, some of whom were the most prominent socialists of their day.

### Trade Union Development

In the United States, the AFL was clearly the moving force in craft union organization, but the lack of a trade union or trade-union federation structure for the unskilled and semi-skilled workers was a weakness of early American trade unionism. Within the AFL there was some persistent agitation for industrial unionism, sometimes taking the form of convention resolutions proposing that trade unions be grouped along industrial rather than craft lines.<sup>40</sup>

Through formation of trade departments, such as the Building Trades Department, and the process of amalgamation, AFL-affiliated unions did broaden their membership base; however, Taft has observed that jurisdictional problems limited this approach.<sup>41</sup>

It should be recalled that the AFL was organized as a voluntary association of trade unions. The national unions retained their autonomy concerning internal affairs. The power of the AFL was found in its right to grant charters, which defined the limits of jurisdiction of national unions.

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<sup>37</sup>AFL Constitution, article II, section 4, in American Federation of Labor: History, Encyclopedia, Reference Book (Washington, D.C.: 1919).

<sup>38</sup>Taft, Organized Labor in American History, pages 412-413.

<sup>39</sup>Editorial, American Federationist, vol. XII, no. 3 (March 1905), page 139.

<sup>40</sup>See, for example, AFL Annual Convention Proceedings, 1903, page 108.

<sup>41</sup>Taft, Organized Labor in American History, pages 463-71.



The power centers in the AFL were the larger national unions, and the role of the AFL was essentially--at least in its earlier period--to advise and coordinate.<sup>42</sup>

Objectives of the AFL under Gompers have been criticized as being less than visionary. To this George Meany, president of the AFL-CIO, has responded:

Our goals as trade unionists are modest, for we do not seek to recast American society in any particular doctrinaire or ideological image. We seek an ever-rising standard of living. Sam Gompers once put the matter succinctly. When asked what the labor movement wanted, he answered, "more." If by a better standard of living we mean not only more money but more leisure and a richer cultural life, the answer remains, "more."<sup>43</sup>

The founding and growth of the Congress of Industrial Organizations (CIO) in the late 1930s can be traced not so much to a perceived failure of the AFL political philosophy, but to the unwillingness of the AFL to meet the needs of industrial (mass) unionism. However, the CIO challenge provided the incentive for AFL unions to broaden jurisdictional lines and recruit unskilled and semi-skilled workers. The CIO also modified its framework to include craft unionism. By the beginning of the second world war, the lines dividing the two organizations were no longer clear, and Meany's biographer has indicated that problems of interaction among elites rather than substance delayed the merger.<sup>44</sup> However, this is not to suggest that differences did not exist, especially at the political level. It was widely perceived that Communists had infiltrated and attained influential positions within a number of CIO unions.<sup>45</sup> The AFL was adamant that the CIO unions rid themselves of Communist influence before a merger could be considered. The CIO issued counter charges concerning corruption in AFL unions. In the early 1950s while the CIO was attempting to break leftist influence,

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<sup>42</sup> Cohen, Labor in the United States, page 88.

<sup>43</sup> George Meany, "What Labor Means by 'More,'" Fortune, vol. II, no. 3 (March 1955), pages 92-3, 172-6.

<sup>44</sup> Joseph Goulden, Meany (New York: Atheneum, 1972), pages 181-82.

<sup>45</sup> Cohen, Labor in the United States, pages 130-32; and Taft, Organized Labor in American History, pages 618-30.

the AFL revoked the charter of the International Longshoremen's Association and attempted to curb instances of corruption in other affiliated unions.

### Legislation

The American labor system that developed following the second world war was markedly different from that of the early twentieth century. By the beginning of the period under investigation both organized labor and employers' associations had accepted the principle of government regulation by legislation, although both groups remained hostile to some specific laws.

The significance of domestic legislation is of consequence chiefly in two aspects of American membership in the ILO. ILO legislation seeks guarantees of basic human rights for the workingman, and specific measures to improve the laborers' working and living conditions. In this context it is necessary to inquire as to whether American legislative measures have provided a level of human rights and work related safeguards equal to or exceeding those established by ILO Conventions and Recommendations. Additionally, it may be asked whether safeguards found in ILO legislation may be found within non-legislative areas in the American labor system--for example, collective bargaining.

The United States is not the only ILO member state organized along a federal structure. The ILO constitution has taken note of the special requirements of federal states and has provided means for ratification of Conventions and Recommendations.<sup>46</sup>

In the United States it is the Congress that passes federal laws governing labor relations, usually under its constitutional power to regulate interstate and foreign commerce. There are numerous legislative provisions concerning freedom of association and a whole range of trade-union activities including collective bargaining, strikes, boycotts and settlement of industrial disputes which fall under federal jurisdiction.

In addition to constitutional guarantees, the principal federal acts which have contributed to the modern American labor system include the Norris-LaGuardia Act of 1932, the Railway Labor Act of 1926, as amended by the Act of 21 June 1934, the National Labor Relations

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<sup>46</sup> ILO Constitution, article 19, section 7.

Act of 1935 (The Wagner Act), amended by the Labor-Management Relations Act of 1947 (Taft-Hartley Act) and by the Labor-Management Reporting and Disclosures Act of 1959 (Landrum-Griffin Act).

### The Norris-LaGuardia Act

The Norris-LaGuardia Act, which entered into force in 1932, two years before American membership in the ILO, marked a significant shift in public policy away from repression to support of trade-union activity. Prior to the Act, courts were able to enjoin unions from peaceful picketing, assembly and many other labor economic weapons. The Norris-LaGuardia Act, passed during the Great Depression, was America's first major statutory treatment of labor-management relations. It guaranteed the individual employee, "...full freedom of association, self-organization, and designation of representatives of his own choosing, to negotiate the terms and conditions of his employment. . ."47

### The Wagner Act

The Wagner Act, officially known as the National Labor Relations Act of 1935, provided the enforcement mechanism to guarantee free collective bargaining. The Act banned certain management actions considered to be "unfair labor practices,"48 established majority rule in selection of employee bargaining representatives and secret ballot elections and created a quasi-judicial independent agency--the National Labor Relations Board.49 The NLRB administers the National Labor Relations Act of 1935, as amended by the Taft-Hartley Act and the Landrum-Griffin Act. It should be noted that the Act did not cover public employees or farm workers.

Under provisions of Section 8 of the Wagner Act, it becomes an "unfair labor practice" for management to:

- (1) "interfere with, restrain, or coerce employees" exercising the right to self-organization;
- (2) to "dominate or interfere with the formation or administration," of any labor organization;
- (3) to discriminate "in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization";
- (4) "to discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act"; and
- (5) "to refuse to bargain collectively with the representatives of his employees."

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47 Norris-LaGuardia Act, section 2.

48 Wagner Act, section 10(a).

49 Wagner Act, section 3(a).

There is general agreement that the Wagner Act provided great impetus for trade-union growth. Union membership increased from approximately three million in 1935 to 15 million in 1947.<sup>50</sup> However, the sudden growth of the trade-union movement was seen by employers as dysfunctional in terms of labor system stability. Immediately after the passage of the Wagner Act, employers' associations began to lobby for amendments which would curtail portions of the legislation which they perceived as overly biased in favor of trade unions.<sup>51</sup>

### The Taft-Hartley Act

By the mid-1940s, following a wave of post-war strikes, public opinion had turned against what was perceived as union abuses.<sup>52</sup> Overriding President Truman's veto, Congress in 1947 passed the Labor-Management Relations Act, known as the Taft-Hartley Act. Although some trade unionists called it the "slave labor act," the Taft-Hartley legislation provided a "modified encouragement"<sup>53</sup> for unions and resulted in far greater regulatory control.

The Taft-Hartley Act is a complex piece of legislation--about three and one-half times the length of the Wagner Act. Its provisions are vague and their interpretations have come to depend more upon the rulings of the NLRB than upon the wording of the Act.

The competence of the NLRB changed as a result of the Taft-Hartley Act. By 1947, under the provisions of the Wagner Act, the NLRB had processed almost 44,000 unfair labor practice cases and almost 60,000 representation cases.<sup>54</sup> Under Taft-Hartley, the NLRB was expanded and the office of general counsel was created, empowered with the final authority to investigate charges and issue complaints of unfair practices. Under the Wagner Act the Board possessed this competence.<sup>55</sup>

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<sup>50</sup>U.S. Department of Labor, Bureau of Labor Statistics, Handbook of Labor Statistics, 1950, page 139.

<sup>51</sup>ILO, The Trade Union Situation in the United States, page 42.

<sup>52</sup>Ibid.

<sup>53</sup>ILO, The Trade Union Situation in the United States, page 43.

<sup>54</sup>Cohen, Labor in the United States, page 489.

<sup>55</sup>Frank W. McCulloch and Tim Bornstein, The National Labor Relations Board (New York: Praeger, 1974), page 45.

The Taft-Hartley Act amended, but did not replace, the Wagner Act. The unfair employer practice clauses of the Wagner Act were left virtually untouched, but a clause banning the closed shop<sup>56</sup> and restricting the union shop<sup>57</sup> was added. Other important provisions of the Act concerned: (1) union unfair labor practices; (2) the rights of employees as individuals; (3) the rights of employers; and (4) national emergency strikes. Other provisions treated internal union affairs, the termination and modification of existing contracts and suits involving unions.<sup>58</sup>

During the twelve-year period that the Taft-Hartley Act remained unchanged, organized labor campaigned for a return to the spirit of the Wagner Act, while employers opposed any liberalizing trends. Labor most specifically objected to Section 14(b) which limited the right to negotiate union shop provision.<sup>59</sup>

### The Landrum-Griffin Act

Passage of the 1959 Landrum-Griffin Act was viewed apprehensively by most labor elites.<sup>60</sup> Factors including labor perception of a hostile Republican administration, congressional revelations of union corruption and subsequent loss of public opinion by labor led to its passage. The Act provided for aspects of union reform, guarantees of free speech and assembly, periodic secret ballot elections of union officials and detailed financial reporting by trade unions.<sup>61</sup> Persons convicted of specific crimes and Communist party members were barred from union office for five years following termination of party membership or five years following termination of sanctions, in the case of convicts.<sup>62</sup>

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<sup>56</sup>A closed shop provision requires all workers to be union members at the time they are hired.

<sup>57</sup>A union shop provision requires that the new worker will join the union after a stipulated period of time, but the employer is free to hire whom he chooses.

<sup>58</sup>Taylor and Whitney, Labor Relations Law, chapter 10; and McCulloch and Bornstein, The National Labor Relations Board, pages 45-53.

<sup>59</sup>Bok and Dunlop, Labor and the American Community, page 98.

<sup>60</sup>Taft, Organized Labor in American History.

<sup>61</sup>Taylor and Whitney, Labor Relations Law, chapter 20.

<sup>62</sup>Ibid.



Although details of the Taft-Hartley and Landrum-Griffin Acts are of paramount importance in the day-to-day functioning of the American labor system, for the purposes of this study, it is perhaps of greater value to seek the character of the law as a whole.

### Labor-Management Role

The modern American labor system rests on a tacit assumption that both labor and management are key systemic elements. The Wagner Act served to bring labor into this role. Subsequent legislation--in the form of the Taft-Hartley and Landrum-Griffin Acts--then modified the parameters. Contention between the two more-or-less equal actors can then be regulated in terms of government-perceived public interest, with inputs from labor and management as special interest groups.

Samuel Gompers believed that if trade unions were allowed to develop freely and bargain collectively with employers, then the public as a whole would be the beneficiary.<sup>63</sup> The trend in contemporary labor law has not echoed Gompers' belief that unrestrained collective bargaining would necessarily be in the public interest. The Taft-Hartley Act, especially in the areas of emergency dispute provision, has provided substantial regulatory controls.<sup>64</sup> The Wagner Act, and to a greater degree, the Taft-Hartley Act, have brought government regulatory controls into the details of the labor-management relationship. No longer is the government, through the NLRB, only concerned with broad issues. What was four decades ago an unchartered area, has become in the 1960s and 1970s an elaborate, and perhaps legalistic, code of behavior, regulating both the broad issues and the minute details of collective bargaining.

In an absolute sense, government regulatory controls under the Wagner, Taft-Hartley, Landrum-Griffin and subsequent acts, could be construed as an infringement of freedom of association. Absolutisms would be overly simplistic in this context. It can be argued decisively that the practice of issuing injunctions against trade unions prior to the Norris-LaGuardia Act did constitute an infringement on freedom of association. Regulatory control *per se* does not necessarily constitute infringement of freedom of association, in fact, statutory provisions can maximize the level of freedom of association.

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<sup>63</sup> Louis S. Reed, The Labor Philosophy of Samuel Gompers (Port Washington, N.Y.: Kennikat Press, 1930, reissued 1966), pages 120-122.

<sup>64</sup> Taft-Hartley Act, Title II.

The individual statutes are representative of the swing of the pendulum of public and legislative opinion towards labor and management. But in the totality, the legislation, combined with numerous voluntary regulatory measures, forms a labor code delimiting the parameters of the rights and responsibilities of workers and employers and their respective organizations. The 1961 ILO report, The Trade Union Situation in the United States, was concerned with the degree of basic safeguards guaranteeing freedom of association--a freedom considered necessary for trade union survival and growth. At the time of the ILO report the Wagner Act had been amended by the Taft-Hartley Act which in turn had just been amended by the Landrum-Griffin Act. The report noted that, although the basic policy of safeguarding freedom of association and collective bargaining had not been altered, some of the provisions of the Wagner Act favorable to trade unions had been modified.<sup>65</sup> The report concluded that generally--both in terms of the law and practice--freedom of association existed at the federal level, and existed, but less uniformly, at the state and local level.<sup>66</sup> However, the labor laws of greatest importance are federal, and as Aaron has observed, "...the authority of the several states over labor-management relations has been almost completely eroded by the doctrine of federal preemption."<sup>67</sup>

#### Comparative Labor Systems

Collective bargaining, according to a recent ILO study, goes beyond negotiation of formal collective agreements as defined and regulated by legislation, and includes the whole range of collective interactions containing an element of negotiation, which occurs between labor and management.<sup>68</sup>

Bok and Dunlop have observed that the high level of decentralization may be the most significant characteristic of the American collective bargaining system.<sup>69</sup> The majority

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<sup>65</sup> ILO, The Trade Union Situation in the United States, page 142.

<sup>66</sup> Ibid., page 144.

<sup>67</sup> Benjamin Aaron, "Labor Relations Law," in Lloyd Ulman (ed.), Challenges to Collective Bargaining (Englewood Cliffs, N.J.: Prentice-Hall, 1967), page 113.

<sup>68</sup> ILO, Collective Bargaining in Industrialized Market Economies (Geneva: 1974), page 2. The basic draft of this study was prepared by John P. Windmuller.

<sup>69</sup> Bok and Dunlop, Labor and the American Community, page 208.

of agreements in force in the United States by 1969 represented negotiations between a union and a single employer for a single plant.<sup>70</sup> This is in direct contrast to the Western European and Australian system of industry-wide collective bargaining.<sup>71</sup>

Basic to the North American and Japanese systems is local union autonomy. Generally this provides for a much greater degree of influence which the individual union member can exercise on union bargaining policies. In states where the collective bargaining pattern is set on an industry-wide scale, the local union tends to have much less autonomy and it functions as more of an administrative arm of the larger trade-union organization.<sup>72</sup> Collective bargaining under the Western European pattern is generally first carried out within the framework of a national agreement negotiated between a central trade-union confederation and a parallel employer organization. Then subsidiary agreements are negotiated on an industry-wide level, and additional bargaining occurs at the plant level through a form of works committee.<sup>73</sup>

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<sup>70</sup> Ibid.

<sup>71</sup> ILO, Collective Bargaining, pages 45-46. A study by the Department of Labor's Bureau of Labor Statistics (Directory of National and International Labor Unions in the United States, 1969, Washington, D.C.: 1970, page 79) indicates that at the time there were approximately 155,000 collective agreements in force, covering over 21 million workers. Bok and Dunlop (Labor and the American Community, page 208) have estimated that during the period a majority of union members worked under contracts negotiated by a single union with a single employer, and only 40 per cent of employees covered by collective agreements involved multi-employer negotiations. However, the ILO study, which cited the BLS report: Characteristics of Agreements Covering 5,000 Workers or More, Bulletin 1686 (Washington, D.C.: 1970) indicated that a small percentage of agreements (0.16%) covered about 20 per cent of all workers employed under collective agreements. This would appear to be indicative that in the 5,000 plus category there is a relatively high degree of concentration. Almost half of the 252 agreements examined in the BLS study were concluded with a single employer, accounting for slightly more than half of the 4.1 million workers covered by the agreements. (ILO, Collective Bargaining, page 123.)

<sup>72</sup> ILO, Collective Bargaining, page 18.

<sup>73</sup> Bok and Dunlop, Labor and the American Community, page 208; and OECD, Recent Trends in Collective Bargaining, International Management Seminar, Castelfusano, 21-24 September 1971 (Paris: 1972), pages 28-29.

In North America and Japan local union structure is generally based on employment at a particular enterprise. This has the effect of focusing union activities on the problems that develop within the particular plant. In Europe and Australia the union organizational base is generally along geographical lines, and local union membership is most often based on place of residence, so that members of a local union will probably work for many different employers.<sup>74</sup>

In the United States and Canada legislation requires that the union selected by the majority of workers shall be given exclusive jurisdiction in negotiation with the employer for all workers in a given bargaining unit. In Europe legislation is not uniform, but recognition is generally pluralistic, so that a trade union represents only its members. However, the ILO has noted that in practice the employer will usually extend the terms of the agreement to all his employees, whether they are union members or not.<sup>75</sup> Some European countries have recently adopted a system whereby the union considered most representative is given exclusive jurisdiction.<sup>76</sup>

In comparison with Western Europe and Australia, a unique feature of the North American system is the lack of joint action among employers in the private sector. In the United States the Chamber of Commerce and the N.A.M. do not represent management in collective bargaining, as do their overseas counterparts. Although in most American industries the employers do not bargain through associations, this is not to say that no collective action occurs. For example, on an ad hoc basis, the American steel industry in the last two decades has negotiated through a single bargaining committee for the purpose of preventing unions from undermining a joint employer position by bringing pressure to bear on negotiations with single enterprises. However, the trend in North America and Japan has been to bargain collectively at the enterprise level.

#### Obligation to Bargain

Also of note in the American system is the obligation of both parties to bargain collectively. The Labor Relations Act, as amended in 1947, requires that both parties bargain in good faith in respect to basic conditions of employment.<sup>77</sup>

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<sup>74</sup> ILO, Collective Bargaining, page 19.

<sup>75</sup> Ibid., page 53.

<sup>76</sup> Ibid.

<sup>77</sup> Labor Relations Act, section 9(a).



The ILO has speculated that in the United States, where the practice of employer direct dealings with the workers was widespread, management was long adamant in not recognizing union claims for representation. According to the study, this was less important an issue in a system of industry-wide bargaining in which management's interests are represented by employer associations.<sup>78</sup>

Although in the United States neither labor nor management have favored industry-wide bargaining, recent trends would suggest that the coalition bargaining has developed in sectors where labor and management perceive an advantage in creation of larger bargaining units. Coalition bargaining is a mechanism through which unions have attempted to centralize the unconnected bargaining that occurs within large companies, so that labor can exhibit more uniform bargaining strategy. Company response has been generally hostile and labor's drive for coalition bargaining has produced an uneven record.<sup>79</sup>

Both the trend towards coalition bargaining in certain industries and a relatively high percentage of multi-employer agreements would appear to suggest that in the United States there is a gradual lessening of the degree of decentralization, although as the ILO study has noted, this cannot be said with any degree of statistical certainty.<sup>80</sup> At the same time, it would appear that states utilizing the industry-wide bargaining pattern are beginning to give increasing emphasis to local union autonomy and greater decentralization.<sup>81</sup> This is not to suggest that in the near future the two systems will become similar. Complex environmental and industrial relations patterns inherent in both systems may either promote or reduce these tendencies.

#### Regulation

States following the Western European model have tended to minimize the role of government in collective bargaining; however, in the United States the National Labor Relations Act of 1935 has provided for special administrative machinery to promote collective bargaining.

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<sup>78</sup> ILO, Collective Bargaining, pages 56-57.

<sup>79</sup> Donald E. Cullen, "Recent Trends in Collective Bargaining in the United States," in ILO, Collective Bargaining, pages 398-99.

<sup>80</sup> ILO, Collective Bargaining, pages 124-32.

<sup>81</sup> Ibid.



This has led to a situation whereby the United States has developed a far more complex array of statutory regulations than that found in other states.<sup>82</sup>

The National Labor Relations Act, as amended in 1947, has provided the regulatory mechanism--through the NLRB--to determine what issues may be considered under collective bargaining. Ruling is called for when one party files an unfair labor practice charge alleging that the other party has failed to bargain in good faith by refusing to consider a particular issue. In this manner much of the material included in various ILO Conventions and Recommendations becomes subject to collective bargaining rather than social legislation in the United States. In this regard it would appear that in the United States much of the ILO labor code is not only duplicated by existing American standards, but is promulgated by non-legislative means. However, there has been a growing tendency on the part of Congress as well as the executive branch to expand governmental regulatory control. This is evident not only in the legislative changes that have occurred in the past fifteen years allowing massive worker organization in the public sector, but also in increased work-related measures such as the Occupational Safety and Health Act of 1970. This act is expected to have wide-ranging impact on the whole field of industrial relations, both in the statutory and collective bargaining context.<sup>83</sup> It would not be accurate to suggest that in the United States there is a move away from collective bargaining towards a European-styled social legislative process. Rather, it could be broadly stated that legislation is being implemented which will broaden the scope of subjects which may be considered under collective bargaining.

#### Relevance of ILO Standards

The ILO has observed that the extent to which its standards may influence the national laws and practice of a given country depends on factors including economic and constitutional structure and on the degree and timing

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<sup>82</sup> Ibid., page 136.

<sup>83</sup> Robert C. Moran, "The Occupational Safety and Health Act and Industrial Relations," in Report no. 5, Collective Bargaining: Survival in the 70's? Proceedings of a Conference Sponsored by the Industrial Research Unit and the Labor Relations Council, Wharton School, University of Pennsylvania, Richard L. Rowan (ed.) (Philadelphia: University of Pennsylvania, 1972), page 393.

of its social development. Since the ILO legislation establishes a minimum desirable level, the ILO has observed that the potential impact of its standards is greater in states in an early stage of economic and social development.<sup>84</sup> However, the ILO legislation is considered very seriously by many European states, and it is not unusual for particular ILO Conventions and Recommendations to become part of national legislation. States of Northern Europe, through the Nordic Council, have established joint machinery to promote greater uniformity of labor legislation through ratification of ILO standards. A similar course is being pursued by members of the Council of Europe.<sup>85</sup>

In addition to the above considerations, the ILO labor code may provide indirect domestic spillover in several other areas. The ILO human rights Conventions are intended to provide a framework in which free trade unions and employers' associations can develop. American participants generally perceive this to be especially important in the context of the Communist and less developed countries. Congressional refusal to ratify the ILO human rights Conventions lessens the degree that the American delegation can criticize ratifying members for non-application of Conventions.

#### Summary

This investigation of the environment has examined external environmental factors within the ILO arena and internal environmental factors forming the American labor system. Additionally, a comparative approach has been utilized to examine similarities and differences between the American domestic labor environment and that of certain other ILO member states.

Within the domestic environment the role of government has been increasingly that of setting the ground rules through legislation ensuring that labor and management may compete within a mutually beneficial free enterprise framework. This is not to suggest that substantial differences do not exist between labor and management within the American labor system; however, these differences generally concern the division of rewards between the two groups. Unlike their Western European counterparts, American workers have shown little inclination towards introduction of political or social issues into the bargaining process. Their concern has been primarily material.

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<sup>84</sup> ILO, International Labor Standards (Geneva: 1974), page 28.

<sup>85</sup> Ibid., page 29.

Comparison between the American labor system and that of other market economy states suggests why the approaches to labor legislation taken by the ILO have not always been relevant to American needs. Of particular note is the American emphasis on collective bargaining and local plant autonomy in the bargaining process.

Additionally, the structure of the International Labor Organization has been briefly reviewed in this chapter so that subsequent development of interaction possibilities and contentious issues within the arena will appear contextual.



## CHAPTER IV

### INSTITUTIONAL STRUCTURE

It has previously been noted that American governmental participation in and policy formation toward the ILO have been primarily a task shared by three executive agencies. The level and scope of participation is examined in this chapter, not only within the three agencies, but between agencies, the office of the Chief Executive and the Congress. The examination of structure is also carried to the two non-governmental units, labor and management.

#### Executive Agencies

The sources of presidential policymaking are found both implicitly and explicitly in the United States Constitution. In areas of foreign policy, the President's powers are shared with Congress. Presidential power has exhibited a tendency to fluctuate with each administration in accordance with domestic and international variables.

The executive branch bureaucracy, unlike the office of Chief Executive, is virtually impervious to the factors which produce competition between the President and Congress. In the area of foreign policy, the executive bureaucracy has become a formalized and relatively stable institution. As Davis has observed, the President and the executive branch are not synonymous.<sup>1</sup> While the President is, by law, the Chief of the executive branch, Neustadt has noted that his power is derived more from his ability to persuade rather than his authority to issue direct commands.<sup>2</sup>

The executive agencies, on the other hand, derive their power from other sources. Rourke has cited two sources: their ability to develop constituencies; and their ability to focus technical skills on complex issues

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<sup>1</sup>James W. Davis, Jr., The National Executive Branch (New York: The Free Press, 1970), page 1.

<sup>2</sup>Neustadt, Presidential Power, 1976 ed., pages 101-105.



of public policy.<sup>3</sup> In this respect the executive agencies have come to represent a pluralistic phenomenon in that their administrative organization and policymaking relationship with the Chief Executive is fluid. The modern executive agency has become far more than an advisory body to the President. The bureaucracy shares a degree of policy creation, interpretation and application. The executive agency interfaces directly with Congress and special interest constituents. This is often the case during the development stages of legislation, as Koenig has noted.<sup>4</sup>

As previously stated, three executive agencies share primary responsibility for U.S. governmental inputs into ILO policy and planning representation. The three agencies--the Departments of State, Labor and Commerce--are Cabinet departments, and as such, each is headed by a presidential appointee who is also a member of the President's Cabinet. The agencies are staffed with a mixture of political appointees and career civil servants. Often the top-level positions such as the under secretary and several of the assistant secretaries, and even deputy assistant under secretaries, are political appointments. However, governmental delegates to the ILO have represented a mix of career officials and political appointees. In the State Department, the ILO delegate has been the Special Assistant to the Secretary of State and Coordinator of International Labor Affairs, and in the Labor Department, the ILO delegate was the Deputy Under Secretary of Labor for International Labor Affairs (although later the Special Assistant to the Secretary for ILO Affairs became the Government delegate). The alternate Government delegate, supplied by the Commerce Department, has always been a career civil servant, with the title of ILO Affairs Coordinator, and is located within the Domestic and International Business Administration unit.

#### Department of Labor

The day-to-day responsibility for Labor Department inputs into American ILO policy and planning was located in the Office of Policy and Program Development (OPPD), within the Bureau of International Labor Affairs. In 1976 the office had a director, an assistant director for international organizations, program and policy coordinator for ILO affairs and a staff of four other professionals who contributed to the Department of Labor's ILO role. However,

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<sup>3</sup>Francis E. Rourke, "Variations in Agency Power," in Rourke (ed.), Bureaucratic Power in National Politics, 2nd edition, pages 242-50.

<sup>4</sup>Louis W. Koenig, Congress and the President (Glenview, Ill.: Scott, Foresman & Co., 1965), page 110.

it was only in 1975 that the staff was increased. During the period under consideration, the day-to-day Labor Department inputs were generally handled by two individuals.

The Office of Policy and Program Development was under the jurisdiction of the Associate Deputy Under Secretary for International Affairs, who in turn reported through the hierarchical process to the Secretary of Labor.<sup>5</sup> Although the title has not remained constant, the individual holding the responsibilities of Deputy Under Secretary of Labor for International Labor Affairs has traditionally been the principal U.S. Government delegate to the ILO, as well as Government delegate to the Governing Body.

The role of OPFD has been to develop policy and program recommendations and to coordinate Labor Department interests in labor and manpower aspects of overseas development and international relations. This has included the development of policy positions and support for the Labor Department's role in ILO participation and in other international organizations.

#### Labor Department Input into Government Policy Formation

The procedure that was involved in the preparation of positions on technical issues for ILO meetings such as the annual conference or industrial committee meetings, in theory, was well established and fairly uniform. However, in addition to the formal channels, an informal mechanism came to play a significant role.

#### Formal Process

First the formal procedure: generally the ILO division of the Bureau of International Labor Affairs initiated the procedure. ILAB contacted the government agency having domestic jurisdiction for the subject matter and requested that agency to assume primary responsibility for the preparation of a draft. One or more secondary agencies were also asked to make inputs. This almost always included the Labor Department Solicitor's Office, which provided the legal inputs. Additionally, copies of the relevant documents were circulated to other government agencies with an interest in the subject and to the employers and workers, who were invited to submit suggestions. ILAB transmitted comments to the lead agency for use in preparation of the draft. The completed draft was then recirculated for additional reaction. Responses were incorporated into the

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<sup>5</sup> U.S. Department of Labor, Labor Department Organizational Manual, 1974, pages 12-11-12-12.

final draft. The final draft position paper was then approved by an Interdepartmental Labor Policy Committee, which was supposed to be chaired by a Labor Department representative and composed of representatives from State, Commerce and other concerned agencies. The position paper was then submitted to the Assistant Secretary of State, and with his approval it became the instruction paper binding upon government delegates.

The procedure for the annual conference was more complex than for other meetings. The agenda for the annual conference is decided on by the ILO's Governing Body. The U.S. Government representative to the Governing Body was the focal point regarding American participation in the selection of agenda items.

By July preceding the conference, the ILO Office, with about an eleven-month lead time, sent a report and questionnaire to member states regarding the specific agenda items. The questionnaire was sent to ILAB, where a staff member of the Office of Policy and Program Development decided which agency should formulate the U.S. position for the technical issue at hand. This was generally decided without interaction with the Department of State. The process was informal--the staff member reached a decision based on his knowledge of government agencies, supplemented by reference to the Government Operations Manual and advice from other staff members.

Although the State Department has jurisdiction for all foreign policy and budgetary matters, it generally did not interact with other agencies until March or April, after the ILO had sent members a second document containing comments from all members who replied to the questionnaire and the proposed conclusions prepared by the International Labor Office. It was at this point that the U.S. lead agency prepared its final draft with comments from the secondary agencies. The State Department then circulated the final draft internally to the various desks with interest in the specific agenda items.

However, if changes in any aspects of coordination were necessary, this was generally accomplished on an informal bilateral basis, rather than through the formalized interagency committee structure.

#### Informal Process

It is hazardous to generalize about the governmental coordinating mechanism. According to interview sources, much of the intergovernmental coordination has been informal and oral. The day-to-day ILO policy and planning

was in the domain of mid-to-upper-level career civil servants, who numbered not more than one or two in each of the three primary executive agencies. While they represented their agencies formally on various interagency coordinating committees, they soon discovered that informal communication and coordination were more efficacious, and consequently, the frequency of formal interagency meetings tended to diminish as the individuals increased their ability to work together informally.

The amount of governmental unit coordination would appear to be a function of factors such as: (a) policy and program input/output from ILAB, and (b) demands originated in the government hierarchy, which were in turn triggered by external stimuli, generally in the form of problems in the ILO arena which focused attention of American participants on the organization.<sup>6</sup>

Instances of high-level governmental unit coordination in response to a specific problem can be seen, for example, in the 23 February 1971 meeting in which the Secretaries of State, Labor and Commerce outlined proposals to the President regarding congressional refusal to pay assessed U.S. dues.<sup>7</sup> Although not frequent, high-level interunit meetings have occurred in response to perceived problems in the ILO arena. For example, the meeting of 26 April 1971 brought together the Secretary of State, the Secretary of Labor, the Secretary of Commerce, the President of the AFL-CIO, the Employer delegate to the ILO and assorted deputy assistant under secretaries.<sup>8</sup>

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<sup>6</sup>The above material is based on the following interviews: Nancy Vancon, Department of Labor, Office of Policy and Program Development, ILAB, in Washington, D.C., May 4 and 23, 1977; James H. Quackenbush, Director, ILO Affairs, ILAB, in Washington, D.C., May 4, 1977; Edward B. Persons, Director, ILO Washington Branch (and former State and Labor official), in Washington, D.C., March 1 and 4, 1977; and John E. Lawyer, former Director, Office of International Organization Affairs, ILAB, in Washington, D.C., May 16, 1977.

<sup>7</sup>Departments of State, Commerce and Labor, Memorandum for the President: Interdepartmental Study of U.S. Participation in the ILO, February 23, 1971.

<sup>8</sup>Department of State, Memorandum for the Secretary. Subject: Your Meeting on International Labor Organization Affairs, Monday, April 26, 1971. (Declassified under the provisions of the Freedom of Information Act.)



## The 1963 Conference Planning

Unfortunately, documentation is limited concerning specific instances of intergovernmental coordination. However, an OPPD staff report of preparation for the 1963 annual conference showed how the process worked when it functioned at near-optimal conditions.<sup>9</sup> On October 17, 1962 a high-level group of government policy officials and other participants met for a preliminary exchange of views on the U.S. delegation objectives at the 1963 conference.<sup>10</sup> The participants included the Secretary of State, the Secretary of Labor, and U.S. Ambassador to the United Nations, the president of the AFL-CIO and other representatives from government and special interest groups.<sup>11</sup>

Approximately eight months before the conference, a lengthy communique was sent to U.S. labor attaches around the world, advising them of the basic U.S. positions regarding the agenda items. The communique provided sufficient detail so that the attaches could exchange views with their counterparts in the country to which they were accredited. By the beginning of the conference in June approximately 150 direct responses had been received, based on the communique. Thus the United States government acquired a general understanding of the basic governmental positions in many countries.<sup>12</sup>

Although U.S. Employer and Worker units were offered an opportunity at several stages to contribute to the Government draft, inputs from employers were virtually nonexistent, and rare in the case of U.S. workers. This is generally attributed in large measure to staff and budgetary limitations.<sup>13</sup> However, in the case of the 1963 conference preparation, three intraunit meetings were held in April, and separate Government-Worker and Government-Employer meet-

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<sup>9</sup>U.S., Congress, House, Committee on Foreign Affairs, U.S. Participation in the International Labor Organization, Hearings before the Subcommittee on International Organizations and Movements, Part III, Winning the Cold War: The U.S. Ideological Offensive, 88th Congress, 1st session (1963), pages 338-39.

<sup>10</sup>Ibid., page 341.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid., page 342.

<sup>13</sup>Ibid., pages 342-43; James Steiner, U.S. Chamber of Commerce, interviewed in Washington, D.C., March 31, 1977; and Bert Seidman, AFL-CIO, interviewed in Washington, D.C., May 24, 1977.



ings were held in May. As a result of these meetings, the Government representatives ensured that the final position papers on technical items reflected coordinated views, although the Worker and Employer units were not bound by what was essentially a Government position paper.<sup>14</sup>

Additionally in early May a joint briefing session presided over by the Secretary of Labor, W. Willard Wirtz and the Under-Secretary of State Averell Harriman, was held for the entire American delegation to discuss broad political issues. Harriman discussed U.S. objectives in the ILO, and the group considered the ILO director general's report and procedures to be followed in the debate. Following the meeting, position papers were prepared concerning the director general's report and U.S. Government policy. Consultations with other governments were reflected in this paper.<sup>15</sup>

In Geneva, prior to the conference opening, a full delegation meeting was held to review the "general posture" of the delegation. The Worker and Employer units were also informed of the Government unit's choice of candidates for important elected positions.<sup>16</sup>

During the ILO conference, the U.S. delegates met frequently to discuss problems, and the plenary session was structured so that the entire delegation was seated together. Representatives sitting in committees also met frequently to exchange information about their particular technical items. During the 1963 conference, several members of the U.S. Government delegation were assigned to develop and maintain working relations with delegates from various geographic areas, the purpose being "to explain and interpret U.S. positions and to exchange views on agenda items and other matters of current concern to the Conference."<sup>17</sup> It should be noted that due to budgetary restrictions, the Government unit has rarely been able to allocate full-time staff for this function. It should also be noted that the comprehensive planning which occurred in 1963 was the exception rather than the rule in American preparation for the ILO's annual conference.

#### Big Four Meetings

In the early 1960s, the United States government, through its delegate to the ILO, began participating in

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<sup>14</sup>U.S., Congress, House, Committee on Foreign Affairs, U.S. Participation in the International Labor Organization, page 343.

<sup>15</sup>Ibid., pages 343-44.

<sup>16</sup>Ibid., page 344.

<sup>17</sup>Ibid.

conferences with government counterparts from France, Great Britain and the Soviet Union. The ILO director general was represented at these meetings by Wilfred Jenks, his principal deputy director general.<sup>18</sup> The meetings were held at the beginning of each annual International Labor Conference, with an aim towards resolving certain problems privately, so that Soviet demands could be partially satisfied, while avoiding confrontation in the ILO's tripartite bodies.<sup>19</sup> The effect of the meetings was to exclude workers and employers until it was too late for them to influence the shaping of proposals for formal tripartite participation.<sup>20</sup>

The Big Four meetings were of concern to several groups within the American participatory structure. The workers and employers were apprehensive about being left out of the decision-making process. This became especially evident in 1965 when AFL-CIO President George Meany threatened not to have the AFL-CIO participate in the nomination of a Worker delegate unless labor was consulted about government positions.<sup>21</sup>

Additionally, the State Department was reportedly displeased that the focal point for U.S. government participation was the Department of Labor.<sup>22</sup>

The Big Four meetings continued through the 1970 annual conference. On 27 October the American governmental delegate, George Hildebrand, Deputy Under Secretary of Labor, delivered a letter to the newly elected ILO Director-General Wilfred Jenks, informing him that the United States Government would no longer participate in the Big Four meetings.<sup>23</sup> While no mention was made in the Hildebrand Report, it appears that Hildebrand indicated to Jenks that the decision reflected the judgment of the U.S. Government and not his own action. According to notes from the meeting, the American Government "would no longer participate in

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<sup>18</sup>David A. Morse, interviewed in Washington, D.C., August 1977.

<sup>19</sup>U.S. Departments of State, Labor and Commerce, The United States and the ILO: the Problem and a Plan of Action: an Interagency Report on the Participation of the United States in the International Labor Organization (Hildebrand Report), February 16, 1971, page 54.

<sup>20</sup>Ibid.

<sup>21</sup>U.S. Department of State, "Memorandum for the Secretary," April 26, 1971, page 1.

<sup>22</sup>Anonymous State Department official, interviewed in Washington, D.C., May 1977.

<sup>23</sup>U.S. Department of Labor, "Notes on Meeting with C. Wilfred Jenks, Director-General of the ILO," ILO/UN Liaison Office, New York, October 27, 1970, page 3.

ILO Office-sponsored meetings limited to the government representatives of the 'Big Four.'"<sup>24</sup> However, the United States would be willing from time to time to meet with Jenks and representatives of other governments "whenever it was appropriate, to discuss matters of mutual concern, including a willingness to meet with the Russians."<sup>25</sup> Jenks was apparently pleased with the explanation, believing that the Big Four meetings would be de-institutionalized but would continue.<sup>26</sup> According to a former State Department official, this was a misreading of a clear American desire to put an end to the procedure.<sup>27</sup> The Hildebrand Report continued:

The U.S. also recommended that the whole procedure be abandoned as inconsistent with tripartitism. This Committee recommends that the U.S. hold to this position.<sup>28</sup>

Earlier the report had noted:

Through this extralegal procedure [Big Four meetings], there has occurred a subtle weakening of the constitutional requirement for tripartite consultation and decision-making in the ILO, because "solutions" to Soviet issues have been achieved without the prior knowledge or participation of the nongovernmental groups. This has been the outcome less of sinister intent than of an increasing interplay between Soviet demands and official attempts to reach accommodations to resolve each successive crisis manufactured by the Russians.<sup>29</sup>

#### State Department Role

The role of the Department of State has been limited in ILO policy and planning and can be summarized briefly. However, first some explanatory notes concerning the Department are necessary.

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<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Edward B. Persons, interviewed in Washington, D.C., August 1977.

<sup>28</sup> Hildebrand Report, pages 55-56.

<sup>29</sup> Ibid., page 55.

Under President Johnson, the White House directed the Department of State to assume the lead role in multilateral affairs relating to budgetary and foreign policy issues.<sup>30</sup> However, the State Department did not assume this role in American interaction with the ILO and other international organizations. Several factors may be responsible for this situation. A recent Senate investigation has concluded that: (a) traditionally, international organization matters have not received high-level priority within State; (b) for program aspects, State is forced to rely on specialized agencies with technical expertise; (c) the volume and diversity of American participation in international organizations create difficulties for State coordination; and (d) its Bureau of International Organization Affairs has had difficulty in attracting the best possible talent and has been understaffed.<sup>31</sup>

#### ILO Bureau

In 1976 the Bureau of International Organization Affairs created a new International Labor Organization Affairs office, and the staff was increased from one to two full-time officers. Formerly this office, which was responsible for the State Department's day-to-day ILO matters, was known as the Agency Directorate for Labor and Women.<sup>32</sup> Prior to its formation, ILO affairs were delegated to an officer within the Office of Economic and Social Policy.<sup>33</sup>

The Directorate for Labor and Women appears to have reflected, possibly even exaggerated, some of the Bureau's weakness. With a staff of one full-time foreign service officer, it simply was not possible for State to become the lead agency in ILO interaction. It should be noted that foreign service officers are rotated approximately every two or three years, so the possibilities for building

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<sup>30</sup>U.S., Congress, Senate, Committee on Governmental Operations, U.S. Participation in International Organizations, 95th Congress, 1st session (1977), page 35.

<sup>31</sup>Ibid., pages 35-37; and Commission on the Organization of the Government for the Conduct of Foreign Policy (Washington, D.C.: Government Printing Office, June 1975), page 39. (Murphy Commission Report.)

<sup>32</sup>GAO, Need for U.S. Objectives in the ILO, page 19.

<sup>33</sup>Edward B. Persons, interviewed in Washington, D.C., May 1977.



continuity were limited. Under these conditions, certain individuals appear to have played important roles, but individual performance has not always been uniformly high.

The State Department's ILO desk officer, during periods of standard operating procedure, interacted along vertical lines of hierarchy leading to the Deputy Assistant Secretary for International Organization Affairs; however, during crisis periods, the desk officer reported directly to the Assistant Secretary.<sup>34</sup>

The following criticism voiced in the Peterson Report would appear to have relevance to State's ILO unit as well as to the larger context:

In sum, the Bureau of International Organization Affairs is not suitably staffed or positioned to lend vigorous thrust and coordination to our relationship with international organizations. It can and should play a vital role in the Department. Its experience is increasingly relevant to the issues arising in the world community.<sup>35</sup>

The Murphy Commission Report reached similar conclusions, stating that "the Bureau of International Organization Affairs (IO), is currently characterized by inadequate staffing, limited influence, largely mechanical responsibilities and a relatively small policy role."<sup>36</sup>

#### Special Assistant

The State Department's ILO interaction occurred not only through the directorate structure, but also through the office of the Secretary of State's Special Assistant for International Labor Affairs. While the office was primarily concerned with the operation of the labor attache program, George P. Delaney, the Special Assistant during much of the period under investigation, had previously served as the trade-union delegate to the ILO from the late 1940s to the late 1950s. From 1963 to 1970, he served on the governmental delegation.<sup>37</sup> Structurally,

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<sup>34</sup> Ibid.

<sup>35</sup> United Nations Association of the U.S., Foreign Policy Decision Making: The New Dimensions (Peterson Report), New York, 1973, page 52.

<sup>36</sup> Commission on the Organization of the Government for Conduct of Foreign Policy (Washington, D.C.: Government Printing Office, 1975), page 131.

<sup>37</sup> Biographical Dictionary of American Labor Leaders, Gary M. Fink (ed.) (Westport, Conn.: Greenwood Press, 1964).



Delaney's position represented an interesting phenomenon. In his concurrent roles as Director of State's Office of Labor Affairs and Special Assistant for International Labor Affairs, Delaney was widely regarded as the AFL-CIO's man in State.<sup>38</sup> According to several interviews, Delaney's post represented an attempt by State to broaden its base of constituent support.<sup>39</sup>

A further example of State interaction with organized labor can be viewed in the structure of State's Labor Advisory Committee on Foreign Assistance. This committee has included governmental representatives from State, Labor and the Agency for International Development (AID). However, the committee chairman has been George Meany; and several trade union presidents, as well as Jay Lovestone, Director of the AFL-CIO's International Affairs Department, have participated.

### Budget

In addition to State's foreign policy role in ILO participation, the Department is also responsible for budgetary matters. The low level of manpower allocation for budgetary planning affects State's interaction with international organizations in general. For example, in 1976 the Bureau of International Organization Affairs had only two officers who were experienced in budgetary affairs and who participated in detailed examination of international organization budgets, and one of the officials was primarily concerned with the budget of the UN proper. In an effort to upgrade the service, a third officer has recently been added to the Geneva Mission.<sup>41</sup> In the case of the ILO, as with most international organizations, a maximum percentage ceiling on U.S. contribution has been fixed by Congress. The State Department, therefore, could not expect to receive funds amounting to more than the established limit of 25 per cent of the total ILO regular budget. This did not include the U.S. voluntary contributions to the United Nations Development Program (UNDP), of which the ILO is an executing agency.

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<sup>38</sup>David H. Davis, How the Bureaucracy Makes Foreign Policy, page 69; and interviews in Washington, D.C., May 1977.

<sup>39</sup>John E. Lawyer and Edward B. Persons, interviewed in Washington, D.C., May 1977.

<sup>40</sup>Davis, How the Bureaucracy Makes Foreign Policy, page 78. Also see U.S., Congress, Senate, Committee on Foreign Relations, American Institute for Free Labor Development, Hearings, 91st Congress, 1st session (August 1, 1969), pages 34-37.

<sup>41</sup>U.S., Congress, Senate, Committee on Government Operations, U.S. Participation in International Organizations, 95th Congress, 1st session (1977), page 42.

The UNDP budgetary process is also channeled through State, but under a different set of congressional appropriations, and consequently through a different subcommittee.

### State Department Constituency

Budgetary issues are central to the period of U.S. participation analyzed in the following chapters. It is through the budgetary process that State interacts with the House and Senate appropriations committees and subcommittees. It has been said that State, unlike other executive agencies, has no domestic constituency to which it can turn for support when threatened with a budget setback.

It is true that State has generally suffered from the absence of a positive constituency, but as Warwick<sup>42</sup> and Gawthrop<sup>43</sup> have observed, informal alliances have developed between congressional elites and executive agency elites. Warwick has theorized that a member of Congress will enter into bargaining alliances with career officials in order to: (a) obtain information about specifics of government administration; (b) acquire services for his constituents or political support for his own programs; and (c) gain control of those aspects of the executive agency operations that impinge on his work.<sup>44</sup>

In this relationship the career officials perceive benefits in terms of program and personal support in dealings with Congress. This perceived value should not be underestimated. For example, within the Bureau of International Organization Affairs, testimony before the appropriations committees was not taken lightly. The House Appropriations Committee's John Rooney, former chairman of the Subcommittee on State, Justice and Commerce, the Judiciary, and Related Agencies, terrified many career officials, and "McClellan (Chairman of the Senate Committee on Appropriations) was no pushover either."<sup>45</sup>

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<sup>42</sup>Donald P. Warwick, A Theory of Public Bureaucracy (Cambridge, Mass.: Harvard University Press, 1975), page 76.

<sup>43</sup>L.C. Gawthrop, Bureaucratic Behavior in the Executive Branch (New York: Free Press, 1969), page 77.

<sup>44</sup>Warwick, A Theory of Public Bureaucracy, page 78.

<sup>45</sup>Edward B. Persons, interviewed in Washington, D.C., May 1977.

Henry Villard, a former U.S. ambassador, has provided an indication of Rooney's influence within State in the following observation:

Outside Washington and the Foreign Service, the name of John J. Rooney is not well known; he is not a national figure, like some congressmen who spring into print at the drop of a controversy. But as Time magazine reported: "In 300 U.S. embassies, delegations, consulates, and special missions throughout the world, nothing is more likely to cause hot blood and cold sweats than the mention of [Rooney's] name." The Rooney rulings on how the State Department spends its money--and how much it gets--are absolute. None of his colleagues cares to cross him; there is no appeal from his decisions; and no one actively connected with the Foreign Service would dare to offend him for fear that the State Department's budgetary requests might be adversely affected.<sup>46</sup>

However, Villard added that a number of State Department officials believed that "without the personal attentions of Rooney--hard-boiled as they may be--the Foreign Service would fare even worse. . ."<sup>47</sup>

#### Department of Commerce

American management has traditionally pressed for stronger Commerce Department input into the governmental representation process. The feeling among employers has been that the Labor Department represents trade-union interests and that the Commerce Department should represent management interests in governmental ILO policy and planning.<sup>48</sup> Despite employer desires, the Department of Commerce's role in the ILO participatory process has been the most limited of the executive agencies with jurisdiction. The alternate Government delegate to the ILO annual conference has traditionally come from Commerce, and the Department was represented in an advisory capacity on other delegations to ILO meetings. The Commerce participation has been characterized as essentially a one-man operation, with the day-to-day operation at the mid-

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<sup>46</sup>Henry S. Villard, Affairs at State (New York: Crowell, 1965), pages 107-108.

<sup>47</sup>Ibid., page 109.

<sup>48</sup>James Steiner, interviewed in Washington, D.C., March 31, 1977.

level career civil service plane.<sup>49</sup> The official's task is to inform and obtain inputs from other officials in the Department with a substantive knowledge of issues being considered in the ILO. Until the early 1960s, this position was filled by an official assigned to the Legislative Division of the Bureau of Domestic Commerce, now the Domestic and International Business Administration (DIBA).

Additionally, Commerce has stated that approximately fifteen officials, including several under secretaries and assistant secretaries, have participated in ILO-related duties on a part-time basis.<sup>50</sup> However, this statement came at a time when participation by all government subunits had been intensified, during the period of heightened interest following the 1975 U.S. announcement of intent to withdraw from the ILO. Also, the Commerce Department was unusually active because it had received executive agency jurisdiction for the preparation of economic policy and planning of U.S. governmental inputs to the World Employment Conference. Also, U.S. employers increased the level of interaction with the Commerce Department because of business interest in ILO work in the field of multinational enterprise standard-setting; however, the multinational issue played a minor role during the period considered by this study.<sup>51</sup>

During the 1970 crisis period, officials in the Commerce Department, in consultation with employers, attempted to upgrade Commerce Department representation in ILO matters. It was during this period that ILO responsibility was transferred from the Office of the General Counsel to the Bureau of Domestic Commerce. A recommendation by employers suggested that the Department of Commerce delegate should replace the State Department official as the second governmental voting delegate, a plan that was rejected by the State Department.<sup>52</sup> Ac-

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<sup>49</sup>General Accounting Office, Report to the Senate Committee on Governmental Affairs, Need for U.S. Objectives in the International Labor Organization (Washington, D.C.: U.S. Government Printing Office, May 16, 1977), pages 22-23.

<sup>50</sup>Ibid.

<sup>51</sup>Randall G. Upton, Department of Commerce, interviewed in Washington, D.C., July 1977.

<sup>52</sup>U.S. Department of Commerce, Background Paper on the ILO and the Department of Commerce's Role Therein, December 1975, page 30.



cording to a Commerce Department report, the State Department continued to neglect clearance with Commerce on outgoing ILO-related telegrams, and Commerce was not always notified of State and Labor meetings on the ILO.<sup>53</sup>

### Congressional Structure

The congressional role in American participation in international organizations is primarily one of review, conducted pursuant to a wide range of statutes in the form of legislation or treaties or executive agreements authorizing American participation. The congressional input is largely limited to the authorization and appropriation process.<sup>54</sup> However, congressional authority is also found in its ability to create and expand, by an act of Congress, almost every governmental administrative unit.

Congressional funding of U.S. assessment in international organizations is contained in several different statutes, dividing committee and subcommittee jurisdiction. For example, as previously noted, U.S. voluntary contributions to UNDP are considered under different legislation from the ILO contributions, which are assessed, not voluntary, and fall under the jurisdiction of the House Appropriations Committee's Subcommittee on Departments of State, Justice, and Commerce, the Judiciary and Related Agencies. In the Senate Appropriations Committee, ILO jurisdiction is found in the Subcommittee on State, Justice and Commerce, and the Judiciary.

Although Congress is a legislative body, in practice its participatory role in the ILO has concerned oversight and financial appropriations rather than the lawmaking process. The Senate, in accordance with its constitutional authority, does receive ILO treaties of a federal nature for "advice and consent."<sup>56</sup> However, due to the limited number of ILO Conventions ratified, this must be considered a secondary function. Proposals introduced or enacted by Congress, in the form of bills or resolutions, form a central structural element in the congressional system, but again, have little relevance to the congressional ILO participatory role, except in relation to the appropriations process.

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<sup>53</sup>Ibid.

<sup>54</sup>U.S., Senate, Committee on Government Operations, U.S. Participation in International Organizations, pages 48-49.

<sup>55</sup>Ibid., page 49.

<sup>56</sup>U.S. Constitution, article II, section 2.



## Committees

Structurally, the congressional role in ILO participation has been most evident at the committee level. This is due primarily to: (a) the specialized nature of the ILO and its limited role in the larger foreign policy framework; and (b) influence of the committee system. Committee authority can be viewed in a congressional framework in which group and individual demands are harmonized by a method Lindblom has described as "partisan mutual adjustment," with the actor defending his partisan goals but seeking mutual adjustment.<sup>57</sup>

Decentralization of power, typified by the committee structure, is reflected in a pluralistic model in which competing demands can be realized through compromise, somewhat along the lines of the Neustadt model. Saloma has observed:

Power in Congress is dispersed, affording and requiring presidential initiative. Congress, its committees and individual members tend to react to public (interest-group) pressure rather than to lead public opinion. The representative owes his allegiance to his constituency, since his reelection depends primarily on his maintenance and support of a majority of interests in his district. . . . The harmonizing and adjustment of group demands is the model's primary characteristic. . . .<sup>58</sup>

As previously observed, the central feature of the congressional system's ILO participation inputs is its decentralized structure in which committees and their subcommittees serve as multiple, but relatively independent, centers of authority.

A common rationale given for the existence of the committee system structure is to efficiently reduce the vast congressional workload by division of labor. The system encourages specialization among legislators and ensures that, at a minimum a small body of legislators will be competent to treat almost any subject. Those favoring the system have claimed that the specialization by committee facilitates congressional oversight as well as policy planning and implementation. Critics of the

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<sup>57</sup> Charles E. Lindblom, The Intelligence of Democracy, page 52.

<sup>58</sup> J.S. Saloma, III, Congress and the New Politics (Boston: Little, Brown, 1969), page 43.

committee system have argued that the committees have become excessively powerful and autonomous,<sup>59</sup> propagate the seniority system,<sup>60</sup> and autocratically control the flow of bills and resolutions to the House and Senate floors. Former Senator Mike Mansfield has argued that the committee structure is essential to the maintenance of the power relationship between the President and individual congressmen. He noted that the strength of congressional leadership is dependent on support in each chamber--support, in the final analysis, from standing committees.<sup>61</sup>

The committee structure is further subdivided into four units: the standing committee, the select committee, the joint committee and the conference committee. Standing committees are permanent in that they have continuity from one session of Congress to the next, while select committees are established to consider temporary issues. Joint committees investigate special matters of concern to both the House and Senate, and conference committees are joint committees with the task of developing compromise versions of bills containing substantial differences between the House and Senate texts.

#### ILO Inputs

Congressional inputs to the ILO fall under the jurisdiction of standing committees. In the House, primary responsibility is found in the Appropriations Committee, the Committee on Foreign Affairs, the Committee on Government Operations and the Committee on Education and Labor. In the Senate, the Appropriations Committee, the Committee on Foreign Relations, the Committee on Labor and Public Welfare and the Committee on the Judiciary have all contributed to aspects of ILO participation. However, the appropriations committees of both chambers are considered among the most influential committees and have jurisdiction over the appropriations process.<sup>62</sup>

It has been generalized that the House Appropriations Committee has been more stringent than its Senate counter-

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<sup>59</sup> Richard F. Fenno, Jr., The Power of the Purse: Appropriations Politics in Congress (Boston: Little, Brown, 1966), pages 33-38.

<sup>60</sup> Barbara Hinckley, The Seniority System in Congress (Bloomington: Indiana University Press, 1971), page 146.

<sup>61</sup> Commission of the Organization of the Government for the Conduct of Foreign Policy (Murphy Commission) Appendix, Vol. 5, page 45.

<sup>62</sup> Fenno, Power of the Purse, pages 33-38.

part, and there is an adage that the Senate Committee on Appropriations reinstates what the House Appropriations Committee deletes.<sup>63</sup> It would appear that there is some veracity to this adage at the general level; however, evidence of cooperative interaction regarding the House and Senate appropriations role is examined in chapters six and seven.

The structural composition of House and Senate committees is deceptively small. Roles such as chairman, subcommittee chairman, ranking minority committee member, ranking subcommittee member, committee member and subcommittee member relate to the committee's decision-making process and are common to all standing committees. However, the decision-making capability is strongly influenced by normative factors. The lines of authority have been formalized only in the broadest of terms and the decision-making process in each committee, and indeed in each subcommittee, is largely the result of elite actor politics. Fenno<sup>64</sup> and Miller<sup>65</sup> have observed extensive differences which exist in interaction of elites within the committee and subcommittee decision-making structure.

### Workers

The AFL-CIO is a federation, currently composed of more than one hundred national and international labor unions in the United States. The term "international" is used in reference to unions also having membership in Canada and the U.S. possessions. The national and international unions, local unions of national and international unions and local unions directly affiliated with the AFL-CIO have a combined membership of slightly more than 14 million workers, or less than one quarter of the total U.S. worker force.<sup>66</sup>

Structurally, the National Convention, held every two years, is the supreme governing body of the federation. The convention elects the federation officers, including the AFL-CIO president, secretary-treasurer and vice presidents (currently 33). These officers comprise the Executive Council, which governs the federation's affairs between conventions and supplements and updates convention policies. There

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<sup>63</sup> Richard F. Fenno, Jr., Congressmen in Committees, page 2; and Idem., Power of the Purse, page xiii.

<sup>64</sup> Idem., Power of the Purse, chapters 4 and 10.

<sup>65</sup> Clem Miller, Members of the House, John W. Baker (ed.) (New York: Scribners, 1962).

<sup>66</sup> U.S. Department of Labor, Bureau of Labor Statistics, Handbook of Labor Statistics, 1976, pages 294-95.

is also a General Board which includes Executive Council members plus a chief executive officer of each affiliated union and each constitutional department. The board meets to discuss matters referred to it by the Executive Council members or the federation's officers, but its primary task has been to act on recommendations to endorse political candidates.<sup>67</sup> The federation has eight divisions, known as constitutional departments, which are trade and industrial groupings for unions with strong common interests. These include Building and Construction Trade, Maritime Trades, Metal Trades, Railway Employees, Industrial Union, Union Label and Service Trades, Public Employees, and Food and Beverage Departments. Each of these departments has its own executive body, holds its own convention and operates semi-autonomously within the framework of the AFL-CIO Constitution.<sup>68</sup>

The union affiliates participate in a standing committee structure, similar to that of business participants in the Chamber of Commerce. The union affiliates interact with the ILO through the International Affairs Committee. This committee is not to be confused with the staff of the Department of International Affairs, which participates in the day-to-day foreign policy work, including preparation of draft policy statements, liaison with foreign governments and trade unions, and relations with international labor movements and organizations.<sup>69</sup>

Before the AFL-CIO merger, the AFL was the sole American labor federation represented in the ILO arena. This, despite both government and CIO attempts to force the AFL to share its participatory jurisdiction with the CIO. A bitter struggle developed during the late 1930s, and again following the second world war, concerning the selection of the U.S. Worker delegate.<sup>70</sup> However, a 1940 plan by Secretary of Labor Schwollenbach to rotate the Worker delegate between the AFL and the CIO was defeated by the AFL. Following this, the CIO strongly denounced the AFL line and resolved to have nothing further to do with the ILO.<sup>71</sup>

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<sup>67</sup>AFL-CIO, This is the AFL-CIO, Washington, D.C., publication no. 20, revised 1977, pages 4-5.

<sup>68</sup>Ibid.

<sup>69</sup>Ibid.

<sup>70</sup>Tipton, Participation of the United States in the International Labor Organization, page 60.

<sup>71</sup>The New York Times, September 7, 1946, page 2; and Tipton, Participation of the United States in the International Labor Organization, pages 60-62.



Structurally, the AFL participation was similar to the later participation under the combined AFL-CIO.

Isolationism has always been an important political factor in the American environment. The trade-union movement, despite the Gompers tradition of international activity, has always had to contend with a strong and vocal isolationist element within both the leadership and the rank-and-file.

Goulden has speculated that George Meany's interest in foreign affairs was stimulated by a desire during his tenure as AFL secretary-treasurer to find outlets that did not conflict with AFL President William Green's interests.<sup>72</sup> Whatever truth there is to this, Meany's interest in foreign affairs caused him to be exposed to the relatively few elites within the federation who were knowledgeable about foreign affairs.

The formation of the Free Trade Union Committee (FTUC) following the second world war is an example of the co-operative interaction among AFL elites with interests in international affairs. The elites, including George Meany, Matthew Woll and David Dubinsky, among others, responded to what they perceived as a Communist threat to the free trade-union structure in postwar Europe. Godson has noted that while the FTUC was funded through the AFL, it was, to a degree, separate from the traditional AFL decision-making lines.<sup>73</sup>

The AFL's active participation in the reconstruction of European trade unions following the second world war may be viewed as a watershed, marking a heightening of its international commitment. An initial short-term aim of countering Communist attempts to control European trade unions became the hallmark of the AFL, and later the AFL-CIO's foreign policy. The AFL's participation in the ILO was linked to its larger foreign affairs objectives, and for this reason, it has been important to examine American trade-union participation in the ILO, both in the context of the trade union's broader objectives as well as its interaction with other ILO participants.

The Worker delegate, like the Employer delegate is nominated by the government, in consultation with the interest group. As one former Worker delegate observed, the

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<sup>72</sup>Goulden, Meany, page 116.

<sup>73</sup>Roy Godson, American Labor and European Politics (New York: Crane, Russak, 1976), page 37.



views of the delegate are generally perceived as being similar to, or at least comparable with, the views of a majority of elites.<sup>74</sup> In the case of the workers, the delegate is in theory free to express his own positions, but in fact he is regarded as a representative of the Executive Council and the President. His legitimacy is derived, in part, from the perception that his views and positions will be supported by the federation.

### Employers

The structure of the U.S. Employer representation in the ILO is complicated by the fact that two employer associations have represented the United States; the Chamber of Commerce of the United States and the National Association of Manufacturers (N.A.M.). The Chamber has continuously represented American Employers throughout the period of U.S. membership. The N.A.M. originally perceived the ILO as a collectivist organization and refused to participate until after the second world war and the subsequent ILO charter revision, known as the Declaration of Philadelphia.<sup>75</sup>

During the N.A.M. participatory period, from 1946 until its withdrawal in 1961, the U.S. employer decision-making process was shared between the two organizations. Decision-making links between the Chamber and the N.A.M. remained informal until 1953 when a joint ILO committee was formed. The committee's function was advisory. The final selection of the Employer delegation was determined jointly by the executive head of each organization. In addition to the advisory committee, each organization had one staff member who was responsible for the day-to-day ILO affairs.<sup>76</sup>

### Chamber of Commerce

The Chamber of Commerce, like the AFL-CIO, and unlike the N.A.M., is a federation. Its membership, however, comprises both organizational members--local, state and regional chambers of commerce, trade and professional associations--and business members--mostly firms. Currently the Chamber claims an underlying representation of more than five million individuals.

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<sup>74</sup>Bert Seidman, AFL-CIO, interviewed in Washington, D.C., May 1977.

<sup>75</sup>Powers, "American Employer Behavior in the International Labor Organization," page 260.

<sup>76</sup>William G. Van Meter, U.S. Chamber of Commerce, interviewed in Washington, D.C., June 1977.

The Chamber has perceived its objectives as twofold: (a) to maintain and strengthen freedom of choice, the right to private property and the private enterprise system; and (b) to develop increased understanding of the American form of government.<sup>77</sup> The organizational activities reflect the more mundane dynamics of a special interest group lobby. Its functional elements include: (a) program development and implementation; (b) legislative action; (c) economic analysis and study; (d) communications; and (e) public affairs and federation development.<sup>78</sup>

In accordance with ILO provisions, the U.S. Employer delegate, like the U.S. Worker delegate, was nominated by the Secretary of State, in consultation with "the industrial organizations. . . which are most representative of employers or workpeople, as the case may be. . ." <sup>79</sup> In the case of U.S. employers, this task has fallen upon the Chamber exclusively since N.A.M. withdrawal. However, the linear connection between the Employer delegate and the Chamber hierarchy is difficult to establish. Formally, both the Employer and Worker delegates possess a large measure of autonomy. However, in practice, they are selected by their respective organizations and are, tacitly at least, expected to espouse the organizational line.

For example, in 1966 U.S. Worker delegate Rudolph Faupl boycotted the ILO annual conference following the election of an Eastern European as President. Faupl explained his action in these terms:

After the election, I called President Meany and reported what had happened. I advised him that I could not, in good conscience, sit in the Conference presided over by a representative of a totalitarian country and that "I am withdrawing the delegation." President Meany told me, "You are the Delegate, you are in a position to weigh the situation. If I were in your position I would do the same thing, but don't do anything that could commit the AFL-CIO to with-

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<sup>77</sup> "The National Chamber," brochure, Chamber of Commerce of the United States (Washington, D.C., undated), page 2.

<sup>78</sup> "A Glimpse of the National Chamber," brochure, Chamber of Commerce of the United States (Washington, D.C., 1976), page 27.

<sup>79</sup> Constitution of the International Labor Organization, International Labor Office, Geneva, 1973, article 3, section 5.

drawing from the Organization--which is a decision that neither you nor I can make, but only the Executive Council."<sup>80</sup>

An example of a delegate who exercised a degree of autonomy in forming policy going beyond the limits of positions held by a majority of the unit's participants can be found in the case of William McGrath, United States Employer representative during the early 1960s. McGrath's desire to see the United States withdraw from the ILO was not supported by the Chamber of Commerce, although the Chamber did support a high level of criticism towards the ILO.

#### Structure of Chamber Policy Formation

Chamber policy towards the ILO was initially formulated in the ILO Advisory Council. Approximately twelve members participated in this council, and it was their responsibility to evaluate ILO organizational changes that reflected upon American participation. The council met more frequently than the Labor Relations Committee and was expected to advise the committee about ILO matters. The Labor Relations Committee was one of twenty-two standing committees. Its recommendations were submitted to the Board of Directors for approval; however approval was generally pro forma.<sup>81</sup> The board, in turn, was composed of 65 members, of which eleven were considered "principal officers." It was not uncommon for the Employer delegate also to be a member of the Board of Directors.

It should be noted that about half of the members of the ILO Council served concurrently on the Labor Relations Committee, which had about 45 members. The ILO Council functioned for approximately the last ten years of U.S. participation in the ILO. During earlier periods, the Labor Relations Committee was directly responsible for ILO matters.

During the period under consideration, the Chamber had a staff of approximately 400 individuals. The members of the ILO Council and Labor Relations Committee were not staff members, but members of the Chamber of Commerce representing their firms. The Employer delegation to the

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<sup>80</sup>Rudolph Faupl, "American Labor and the Issues Confronting the ILO," AFL-CIO Free Trade Union News, vol. XXI, no. 7 (July 1966), page 4.

<sup>81</sup>James Steiner, interviewed in Washington, D.C., May 1977; and William Van Meter, interviewed in Washington, D.C., June 1977.

ILO was a mixture of both staff and members; however, the members were more numerous and were selected in accordance with their areas of specialty.<sup>82</sup>

The numerical participation by both staff and members was limited to a relatively small circle. Staff inputs were limited to the ILO adviser and occasional participation by individuals in specialized sections such as labor law or foreign trade. The member delegation advisers were generally selected from among participants in the ILO Council or the Labor Relations Committee or from members with technical expertise in a specific substantive area.<sup>83</sup>

The role of the executive head has differed substantially from that of his trade-union counterpart. According to one interview source, the executive head during the period under consideration, Arch M. Booth, was knowledgeable about the political issues in the ILO arena, but was only marginally aware of the specific substantive work of the Organization. However, the source indicated that the executive head participated in all decisions that the employers perceived as important and that Booth regularly debriefed the ILO adviser upon his return from ILO conferences and meetings.<sup>84</sup>

### Summary

The position has been developed that United States policy formation towards the ILO arena has reflected a complex decision-making process composed of both organizational and individual actors interacting in a "satisficing" mode to achieve perceived objectives. It was further posited that interpretation of selected action courses is linked to an understanding of the basic structural, i.e., institutional, processes within American participation.

It has been attempted in this chapter to demonstrate that institutional and individual needs have differed between, and to a degree within, participating units. Within the Government unit institutional differences have played a significant role in shaping goal expectations. Furthermore the hierarchical level of participation by individuals, and subsequent manpower and financial allocations, have coalesced to determine roles that specific institutions have played in the ILO participatory process. However, institutional requirements--those requirements specific to the

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<sup>82</sup> Ibid.

<sup>83</sup> Ibid.

<sup>84</sup> Ibid.



needs of the organization--generally contributed to formation of goal expectations, but alone did not determine objectives unless a vacuum had been created by a lack of inputs from high-level participants.

Within the Government unit, policy was supposed to be formulated through an interactive process which would have combined substantive program aspects emanating from departments and agencies with expertise in a program field and general foreign policy inputs from the Department of State. However, in practice, it would appear that the institutions lacked the capacity to successfully fulfill the interactive process. In this study the phenomenon has been linked only to the ILO participatory process, but recent government investigations have explored serious shortcomings in the ability of the United States, specifically the Department of State, to effectively meet the needs of multilateral diplomacy.<sup>85</sup>

Significant institutional differences have been found within the structure of executive agencies. For example, the Department of Labor has been traditionally viewed as serving the needs of its constituent, organized labor, both in the wider context and in terms of ILO participation. The same belief has been held regarding the position of the Department of Commerce. In institutional terms, the Department of State would appear to lack the same kind of natural constituency, although an argument could be made both that State has been able to build a coalition by providing services to congressional elites and that Labor and Commerce have not consistently reflected constituent desires in the ILO context.

Perhaps it is stating the obvious to underline that great structural differences exist between the executive agencies and Congress. Not only are the structures of the institutions markedly different, but their functions reflect a division of power inherent in the American governmental

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<sup>85</sup> Recently the Senate Committee on Government Operations study, U.S. Participation in International Organizations, cited the State Department's limited manpower for multilateral interaction, comparatively low level of talent within the Bureau of International Organization Affairs, lack of central authority by IO and low level of planning within IO (pages 37-38). The Commission on the Organization of the Government for the Conduct of Foreign Policy (the Murphy Commission) concluded in 1975 that "the Bureau of International Organization Affairs is currently characterized by inadequate staffing, limited influence, largely mechanical responsibilities and a relatively small policy role" (page 131).



system. It therefore should not be too surprising that organizational needs might also differ regarding participation in the ILO, as well as in that of the larger area of the international organization system. Congressional involvement in the ILO participatory process has been generally pursuant to its appropriations and oversight jurisdiction, although, to a lesser degree, the Senate treaty-making powers have come into play. In ILO participation the Congress would appear to have shared general foreign policy objectives with the executive branch and with workers and employers; however, it is posited that certain institutional aspects also contributed to formation of goal expectations that were unique. For example, House appropriations hearings reflected particular concern over both cost-effectiveness of American funds contributed and the ability of Congress to oversee spending of these funds. The House subcommittee chairman with jurisdiction over ILO funding was particularly distraught in 1971 when he learned that the ILO had authorized construction of a new headquarters without congressional approval. In fact, the United States representative to the ILO Governing Body had approved the funding allocation, but the Department of State had neglected to consult Congress.

In this situation, the ILO, although it was under no obligation to consult with the American Congress, suffered for what a subcommittee chairman perceived as a threat and a slight to his oversight authority.<sup>86</sup>

Since the departure of the N.A.M. from employer representation in 1961, both American workers and employers have been represented by federative organizations considered to be the most representative of their respective members. Structurally, both the AFL-CIO and the Chamber of Commerce have been led by strong executive heads surrounded by a small group of well-entrenched, high-level officials. Power has not been widely distributed in either organization. Within the AFL-CIO, participation in the ILO has been viewed in the context of a larger foreign policy program which has generally been of note for its bilateral emphasis. Due to a high level of interest in foreign policy among trade-union elites, participation in the ILO has been consistently given a relatively high priority. American employers have exhibited a lower interest level in general foreign policy, and ILO participation has not concerned elites to the same degree as it has with their labor counterparts.

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<sup>86</sup>U.S., Congress, House, Committee on Appropriations, Subcommittee on Departments of State, Justice and Commerce, the Judiciary, and Related Agencies, Appropriations for 1972, Part 2, Department of State, 92nd Congress, 1st Session, pages 688-694.



## CHAPTER V

### GOAL ORIENTATION

This chapter provides an examination of the objectives of American units, subunits and individual actors participating in the ILO interaction process. The decision-making process is complicated by the number of decisional points existing within the component parts of the U.S. participatory role. Clearly, there exists ample terrain for a multiplicity of goals and objectives. In this instance, we are dealing with vaguely defined individual actor-perceived objectives, organizational and organizational subunit goals, in addition to both broad and specific objectives relating to the substantive ILO program issues.

Then there is the question of scope. The General Accounting Office has observed the lack of clearly defined objectives.<sup>1</sup> In a narrow sense this is correct, there have been few specific objectives delineated. However, the U.S. decision-making process in the ILO is not divorced from the broader issues of domestic and foreign policy. As late as June, 1976, when the Department of Labor was requested by a House committee survey to identify what should be the ILO's three top priority programs, it replied:

As noted in our replies to earlier questions, the Department of Labor is now in the process of improving its ability to review and evaluate ILO programs. We are not, however, prepared at this time to identify the three top priority programs. As we increase our ability to evaluate ILO programs, we intend to attempt to make some judgments about the relative impact of ILO programs, and to actively promote those programs which seem to offer the greatest potential benefit.<sup>2</sup>

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<sup>1</sup>General Accounting Office, U.S. Participation in the International Labor Organization Not Effectively Managed, page 11.

<sup>2</sup>U.S., Congress, Senate, Committee on Government Operations, U.S. Participation in International Organizations, 95th Congress, 1st session (1977), page 30.

This statement came after 30 years of Labor Department participation in the ILO. For over 30 years the department had been participating without being able to identify the three programs perceived to be of top priority. Several months later the Labor Department notified the committee that the priorities of the ILO should be: (1) programs which promote and strengthen democratic institutions in the labor field; (2) programs which promote jobs and job skills; and (3) programs which foster better conditions of work and the protection of workers on the job.<sup>3</sup>

#### Early Goal Formation

It would not be accurate to suggest that the Department of Labor or other American participatory units had not in the past considered both broad and specific needs. However, both the mandate of the ILO and the level of American participation have been such that, despite numerous congressional reviews of U.S. interaction in the ILO, American policy objectives were generally fluid and open to a large measure of subjective interpretation.

For example, in 1934, when Congress was considering the question of American membership in the ILO, Secretary of Labor, Frances Perkins, the first woman to be appointed to a cabinet post, wrote to Sam D. McReynolds, Chairman of the House Committee on Foreign Affairs, and cited the following as perceived policy benefits to the United States:

It seems to me of great importance that we should join the organization at this time for several reasons. We are engaged in the United States of America in raising the standards of labor and improving the conditions of employment by shortening hours, by imposing minimum wage provisions, and by like devices. It is highly desirable that in taking such forward-looking steps we should have the cooperation of other nations, for otherwise our industrial costs will advance more rapidly than the costs of our neighbors and the result will be that in the international field we will suffer the competitive disadvantages which always occur when one of several rival nations raises its standards faster than its neighbors raise their standards. In this connection I call to your particular attention that one of the topics on the agenda for this year's conference is the possibility of establishing a 40-hour working week throughout the world.

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<sup>3</sup>Ibid., pages 30-31.

In the second place, the International Labor Organization investigates possible techniques for meeting the unemployment crisis which is so general throughout the world today. The experience of other nations brought together in the organization's publications, conferences and other methods of communication, should prove valuable to us in formulating our own national policy.<sup>4</sup>

Perkins, in her persuasive interaction with congressional elites, stressed both perceived benefits such as the above, and the idea that the United States could join the ILO without entanglement in other international organizations. Clearly though, there was a strong current of idealism in both her position and Roosevelt's favorable attitude toward U.S. participation in the organization.<sup>5</sup>

Approximately 20 years after Roosevelt and Perkins convinced the majority of Congress of the merits of ILO membership, the U.S. employers severely criticized aspects of the ILO and threatened to withdraw. In response, the Eisenhower Administration established an independent advisory committee to investigate the situation.

#### Johnson Committee

One of the clearest formations of objectives can be found in the committee's conclusions, titled Report of the Advisory Committee on United States Participation in the International Labor Organization (Johnson Committee Report).<sup>6</sup> In general terms the Johnson Committee Report concluded that American policy objectives in the ILO should be formulated in terms of foreign policy. Specifically, the report stated:

The Committee has approached its task with considerations of the national interest uppermost in mind.

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<sup>4</sup>U.S., Congress, House, Membership of the United States in the International Labor Organization, H.R. 2006, 73rd Congress, 2nd session (1934), page 1.

<sup>5</sup>Frances Perkins, The Roosevelt I Knew (New York: The Viking Press, 1946), pages 337-46.

<sup>6</sup>U.S., Congress, House, Committee on Foreign Affairs, U.S. Participation in the International Labor Organization, Hearings before the Subcommittee on International Organizations and Movements, Part III, Winning the Cold War: the U.S. Ideological Offensive, 88th Congress, 1st session (1963), page 375. The committee chairman was Joseph E. Johnson, president, Carnegie Endowment for International Peace.



A basic premise follows from this: United States policy toward and participation in the International Labor Organization must be considered primarily in terms of the goals of United States foreign policy. With such a premise, our conclusions are bound to be somewhat different from those of persons whose chief concern is a narrower interest, whether it be that of labor, of management, or of the production of a particular economic or social philosophy. The Committee's views will likewise be different from those of persons who do not share our conviction that the United States is no longer isolated and can no longer afford to be isolationist, who in short, do not accept the foreign policy goals of the United States as developed over the last decade on a bipartisan basis with broad public support.<sup>7</sup>

The Report's assessment of the value of the ILO to the United States concluded:

An objective observer must in all fairness recognize that the ILO is not of great direct importance to the well-being of most American workers, or for the improvement of the conditions of labor or for the promotion of good industrial relations in domestic industries. By and large, the standards that have been attained in this country--through collective bargaining by legislation, and as a result of the voluntary actions of progressive employers--are generally higher than those proposed by the ILO.<sup>8</sup>

Having observed that the ILO has provided little domestic benefit for the United States, and having determined that the Organization has not been harmful to the United States "in any significant sense," the Report suggested that the ILO could contribute to the advancement of American interests through the promotion of industrial democracy and efficiency abroad.<sup>9</sup> The Johnson Report further observed that, "to the extent that ILO action contributes to narrowing [differences in labor standards]. . .it improves the competitive position of American industry and serves also the interests of American labor."<sup>10</sup>

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<sup>7</sup>Ibid.

<sup>8</sup>Ibid., page 377.

<sup>9</sup>Ibid., page 378.

<sup>10</sup>Ibid.

Stated U.S. governmental objectives were most clearly delineated in a joint State, Labor and Commerce Department statement submitted to the Johnson Committee in May, 1956. The policy statement included the following objectives:

(a) To develop and maintain United States leadership in advancing United States interests and those of the free world.

(b) To practice international cooperation and make the maximum use of the unique tripartite structure, the subject matter considered, and the forum ILO provides to pursue United States foreign relations objectives of international cooperation and world peace.

(c) To convince other governments, workers and employers of the values and benefits inherent in the American economic, social and political system and to make clear the function of United States employer and worker organizations in meeting the social and economic needs of workers and of the Nation.

(d) To develop friendly and cooperative relations with those countries with which the United States is allied and to strengthen relations with other non-communist countries.

(e) To have included in ILO decisions and programs provisions which are acceptable and usable by Free Nations who look to ILO for help and guidance and which do not detract from the basic free society concepts and view of the United States.

(f) To assist, through the International Labor Organization in increasing the dignity and freedom of workers and in improving the welfare of workers throughout the world as a political, economic and humanitarian society.

(g) To encourage employers, workers and government representatives to take action in their countries which will contribute to a substantial increase of productivity as a means of accelerating rising levels of living and which will make democracy meaningful to workers.

(h) To encourage, through the ILO, actions in member nations which will bring about, within the realities of their economic and social conditions, an increasing responsibility for labor and management to handle labor-management relations and working conditions problems and which will make democracy meaningful to workers.

(i) To make available to workers and employers throughout the world the technical and practical experience of the United States employers and workers on matters relating to industrial relations, productivity and the welfare of workers.

(j) To achieve economic benefits for United States workers and employers (1) by creating markets for United States goods through raising standards of living in other countries; and (2) by the elimination of substandard conditions that may be a factor in unfair competition in international trade.

(k) To strengthen the ILO to enable it to carry out programs and to achieve objectives which are consistent with United Nations principles.<sup>11</sup>

#### Recent Goal Formation

For the following decade the Johnson Report remained as the most thorough delineation of government perceived objectives in ILO participation.

However, in 1965, in response to a Worker complaint concerning its perception of U.S. Government inaction in the face of erosion of the tripartite structure, Secretary of State Dean Rusk approved a list of selected foreign policy objectives that included:

(a) To assist the economic and social development of less developed countries in directions compatible with our own security and ideals.

(b) To promote the development of free labor movements.

(c) To take advantage of tripartite representation in the ILO to inform other workers, employers and governments of our economic, social and political system, and its advantages as compared with the communist totalitarian system.

(d) To seek to defeat Soviet attempts to expand its influence in the ILO.<sup>12</sup>

Two years before the State Department's briefing paper the House Committee on Education and Labor held extensive

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<sup>11</sup>Ibid., pages 379-80.

<sup>12</sup>U.S. Department of State, Briefing Paper on Meeting of Department of State, Labor and Commerce with U.S. Worker and Employer Representatives to the International Labor Organization, April 1971, page 1. (Secret document, declassified under the provisions of the Freedom of Information Act.)

hearings on the ILO, under the chairmanship of Adam C. Powell.<sup>13</sup> Several months later, in December of 1963, a subcommittee of the House Committee on Foreign Affairs also held hearings on the ILO. The record of both hearings indicates that new, or more precise goals were not delineated.<sup>14</sup>

It is suggested in the following chapters that the 1970-1972 budgetary crisis triggered by the U.S. Government's failure to pay its assessed dues, can be viewed as a continuation of problems that came to light in the mid-1950s when Congress debated the merits of raising the ceiling on U.S. contributions to the ILO. Yet it was not until after the House Appropriations Committee reversed its earlier decision and asked the Senate to delete ILO funds for the remaining half of the ILO assessment for 1970, that the executive agencies began to revise the U.S. Government's stated objectives in the ILO.

The most notable executive agency revision of objectives can be found in an eighty-page confidential inter-agency report on the participation of the United States in the ILO, prepared in February, 1971.

#### Hildebrand Report

The interagency report, known as the Hildebrand Report, after George E. Hildebrand, Deputy Under Secretary of Labor and Chairman of the Interagency Committee, observed that it may not be possible to measure the precise achievement of the objectives which, in the past, at best, had been broadly defined. However, the report stated that "explicit objectives" are both tangible and can serve as a measure of the value and effectiveness of U.S. participation.<sup>15</sup>

Eight "explicit goals" were formulated by the inter-agency committee, with the perceived objectives of increasing the value of the ILO to the United States and serving as indicators of American success or failure during the crisis period. According to these objectives:

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<sup>13</sup>U.S., Congress, House, Committee on Education and Labor, Hearings before the Ad Hoc Subcommittee on the International Labor Organization, 88th Congress, 1st session (1963).

<sup>14</sup>U.S., Congress, House, Committee on Foreign Affairs, Report on Hearings on U.S. Participation in the International Labor Organization: Part III, Winning the Cold War: The U.S. Ideological Offensive, 88th Congress, 1st session (1963).

<sup>15</sup>Departments of State, Commerce and Labor, The United States and the ILO: The Problem and a Plan of Action, An Inter-agency Report on the Participation of the United States in the International Labor Organization, February 16, 1971, unpublished, pages 22-23 (Hildebrand Report).



1. The proportion of Americans employed in temporary and permanent categories in Geneva and in the field should be increased substantially, perhaps by stipulated numbers.
2. The U.S. should press for the appointment of an American acceptable to the U.S. Government as a deputy director-general.
3. The U.S. should make a vigorous effort to combat the use of ILO meetings for polemical purposes, exerting strong influence upon the director-general and presiding officers, together with appropriate exercise of points of order and the right of reply as required.
4. The U.S. should keep all ILO publications under continuing careful surveillance, to make sure that the new rules for neutrality and objectivity are fully observed.
5. The U.S. should firmly oppose the following proposals for constitutional changes in the structure of ILO: (a) abolition of the principle of the Ten States of Chief Industrial Importance or of the right to veto by any five of these states; (b) creation or setting aside of special Employer seats for "representatives of socialist management"; (c) creation of any special role for the Conference in the selection of a new director-general.
6. The U.S. should oppose the candidacy of a Soviet national for chairmanship of the Governing Body.
7. The U.S. should press to get the issue of violations by the Soviet Bloc of Convention No. 87, on Freedom of Association, re-examined in ILO.
8. The U.S. should urge strongly that the ILO Office provide in-depth reviews of three of its major activities each year, and that it make demonstrable improvements in its reporting and evaluation system for its field projects.<sup>16</sup>

The Hildebrand Report failed to delineate any substantially new foreign policy objectives. Although the report did include the following objectives, it agreed with the previously cited 1970 GAO study which criticized these objectives as broad and not very susceptible to measurement:

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<sup>16</sup>Ibid., page 11.



(1) To help less developed countries to advance in social and economic directions compatible with U.S. security and ideas.

(2) To serve as a multilateral technical assistance agency, with an American presence, in the field of human resources development.

(3) To promote free labor movements in pluralistic societies.

(4) To advocate the American economic, social and political system, and to stress the advantages of a pluralistic society as compared to communist and other totalitarian systems.

(5) To protect and promote U.S. trade and investment interests through international labor standards that reduce competitive advantages of others.

(6) To provide information about new foreign labor and manpower policies and programs for potential use in the United States.<sup>17</sup>

Regarding point one, the State Department has observed that there has been a lack of willingness to augment its staff for this function, and has claimed that U.S. Government officials have found that elites participating in the ILO arena have little personal influence in their own countries.<sup>18</sup> A review of delegation lists to the ILO Annual Conference and other meetings would reveal that delegates include numerous government ministers and high level governmental, trade-union and management elites. It may be possible that the State Department comment is a result of its failure to establish contacts and influence elites, rather than a reflection of the stature of delegates.

Regarding point two, the ILO as a multilateral agency can and does operate in countries where the United States has no bilateral AID programs or where U.S. personnel would not be admitted. However, State has observed that the United States does not need to be a member of the ILO to accrue this advantage as long as it continues to contribute to UNDP, of which the ILO is an executing agency.<sup>19</sup>

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<sup>17</sup> Ibid., page 22.

<sup>18</sup> U.S. Department of Labor, "Mini-Study of American Participation in the ILO," (unpublished) 1975, page 3 ff.

<sup>19</sup> Ibid.

Regarding point three, the State Department has expressed a doubt that a forum that meets only a few times a year can be effective in this regard.<sup>20</sup> However, State appears to have overlooked the continuity provided by the ILO secretariat and the various ongoing panels such as the Committee of Experts. State has also expressed the opinion that governments in less developed countries intervene when trade unions become a threat.

Regarding point four, State has noted that the United States has not utilized the ILO for this purpose and has stated that unless the United States makes a greater effort in this direction, its international credibility may be destroyed by participating "on a normal and routine basis" with the Soviet Union in the ILO.<sup>21</sup> This is somewhat ironic considering U.S. special-interest criticism that the State Department has given greater weight to preservation of détente than to tripartite considerations.

Point five is probably the oldest and most often cited rationale for U.S. participation in the ILO, but as the Commerce Department has noted, the cause and effect between ILO labor standards and reduction of comparative advantages is questionable. American multinational corporations have, in recent years, begun to express interest in this field, and additional evidence of U.S. interest in international labor standards can be seen, for example, in the Trade Act of 1974.

Point six has formal and informal aspects. Formally the information channel is through the ILO legislative system in the form of Conventions and Recommendations. Informally however, executive agency, congressional, trade-union and management elites interact within the ILO arena and return to their constituents and organizations with new inputs in the form of ideas generated through the ILO mechanism.

There would appear to be some discrepancy between the early policy objectives formulated by Frances Perkins, which emphasized perceived domestic and foreign policy benefits accrued from the legislative role of the ILO, and the later objectives which were foreign policy oriented and more politicized. However, it should be noted that the Perkins formulation came at a time when the United States faced a great economic crisis, and provisions protecting workers such as unemployment insurance and social security were still at an exploratory stage. It was perhaps overly optimistic--in view of the differences between the European and American labor systems cited in chapter three--to have expected substantial

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<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

domestic benefits to have accrued from U.S. participation in the ILO. However, had the proponents of ILO membership admitted the large element of non-applicability of ILO standards to the United States--assuming foreknowledge--then the isolationist and anti-League mood of Congress and the public would have made American membership a more doubtful proposition.

### The Congressional Framework

Although it is only recently that foreign policy analysts have departed from a classical unitary actor framework, students of domestic government interaction as far back as the publication of Woodrow Wilson's Congressional Government in 1884, have tended to examine subunit functions within the government branches.

### Systemic Goals

It has been observed in chapter two that goals formulated by organizational units and subunits may be far removed from the objectives structured along the requirements of a unitary actor framework. Within the congressional system organizational goals result from a complex interaction of formal and informal structural features. Additionally, goals are formulated in the context of consensual agreement emanating from bargaining among elites, member perceptions, environmental limitations and individual and small-group psychological inputs.

The organizational structure serves to influence elites and bring about a continuity in the decision-making process, thus guaranteeing that subunit decisions will be compatible with overall organizational goals. Simon has theorized that the organizational structure would determine the ways in which premises converge to influence the decision-making of organizational members. He views a premise as the smallest unit of analysis, with many premises combining to form a decision, and human choice as a function of "drawing conclusions from premises."<sup>22</sup> Simon has further suggested that the organization, structured along task-oriented lines, takes from the individual some of his decision-making autonomy and substitutes for it an organizational decision-making process.<sup>23</sup> The organizational decisions would ordinarily establish the individual's function, authority of elites within the structure, and set other necessary limits to the individual's

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<sup>22</sup> Simon, Administrative Behavior, page xii.

<sup>23</sup> Ibid., page 8.

choice in order to coordinate activities of elites within the structure.<sup>24</sup>

The modes of organizational influence are dependent upon organizational structure. For example, authority, as defined by Barnard, would play substantially different roles in Congress and the executive bureaucracy, due to the inherent organizational differences.<sup>25</sup> Organizational factors producing authority among congressional elites include variables such as party, seniority, committee structure, constituencies and influence of leaders. Vertical "authority" relationships are more informally defined, unlike the more clearly delineated structure found in the executive bureaucracy.

Simon has suggested that organizational loyalties exist regardless of the organizational structure, and certain forms of loyalties attach the individual to an administrative organization or subunit of the organization.<sup>26</sup> This in turn leads to formation of subunit goals which consider a decision in the context of limited organizational aims.<sup>27</sup> The problem exists, especially at the higher levels of interaction among elites, that organizational loyalties will bias the decision-maker.<sup>28</sup> To this Cyert and March have added the notions of subunit goal selection and sequential attention to goals by the organization's decision-makers.

#### Committee Differences

It has been previously noted that congressional-ILO interaction primarily occurs at the committee and subcommittee level, and to a lesser degree at the level of individual elites. In view of the interaction level, the organizational structure of greatest relevance, therefore, is that affecting the committee and subcommittee modes.

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<sup>24</sup>Ibid., pages 8-9.

<sup>25</sup>Chester I. Barnard, The Functions of the Executive (Cambridge, Mass.: Harvard University Press, 1938, 1968 edition), page 163. Barnard has said, "Authority is the character of a communication (order) in a formal organization by virtue of which it is accepted by a contributor or 'member' of the organization as governing the action he contributes; that is, as governing or determining what he does or is not to do so far as the organization is concerned."

<sup>26</sup>Simon, Administrative Behavior, page 13.

<sup>27</sup>Ibid.

<sup>28</sup>Ibid., page 14.



Fenno has posited that systemic differences exist among committees, with respect to five variables: member goals; environmental constraints; strategic premises; decision-making process; and decisions.<sup>29</sup> Fenno has argued that committee members have goals they wish to fulfill through membership on a committee. Given a high level of consensus on goals, members will structure their committee in modes that appear likely to aid in achievement of individual goals. But Fenno has also noted that a set of environmental constraints, such as constituent expectations, exist for each committee. Committee organization--given a high level of cohesiveness--will also consider the environmental needs, and committee elites will develop strategy to maximize both individual goals and the environmental demands.<sup>30</sup>

In Fenno's explanatory model, member goals and environmental constraints are the independent variables; the strategic premises (decision rules) are intervening variables; and decision-making processes and decisions are dependent variables.<sup>31</sup>

While terminology has differed, Fenno's analysis of congressional committees has utilized organizational concepts similar to those explored by Cyert and March and by Simon, especially in the context of "bounded rationality" and "satisficing."<sup>32</sup> The environmental constraints also suggest sociological formulation along the lines developed by Selznick.<sup>33</sup>

### Jurisdiction

Senate committee jurisdiction is, in a formal sense, formulated by the Senate Committee on Rules and Administration, and in the House, by the Committee on Rules.<sup>34</sup>

Committee jurisdiction establishes the broad parameters of interest and goal orientation of committee members. Fenno has noted that a member of Congress generally

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<sup>29</sup> Richard F. Fenno, Jr., Congressmen in Committees, page xiv.

<sup>30</sup> Ibid., page xv.

<sup>31</sup> Ibid., pages xiv-xv.

<sup>32</sup> See pages 25-27, below.

<sup>33</sup> Ibid.

<sup>34</sup> U.S. Congress, Senate, Committee on Rules and Administration, Senate Manual, 91st Congress, 1st session (1969), article 25, section 1(c) and article 25, section 1(i). For example, the Senate Standing Rules include the following:



reflects goals attainable through his subcommittee(s) within the committee structure. He has cited House Appropriations Committee Chairman George H. Mahon's observation, "We tend to be more an aggregation of autonomous subcommittees than a cohesive Appropriations Committee."<sup>35</sup> Again Fenno has cited a subcommittee chairman's notion of the relationship of a subcommittee member to another subcommittee:

Why, you'd be branded an imposter if you went into one of those other subcommittee meetings. The only time I go is by appointment, by arrangement with the chairman at a special time. I'm as much a stranger in another subcommittee as I would be in the legislative committee on Post Office and Civil Service. Each one does its work apart from all the others.<sup>36</sup>

Senators, unlike their House counterparts, serve on two, sometimes three committees, often with interlocking jurisdiction. As a consequence the Senate, unlike the House, is not necessarily "an aggregation of autonomous" groupings. Furthermore, the size and homogeneity of their

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#### Committee on Appropriations

Committee on Appropriations, to consist of twenty-four Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to appropriation of the revenue for the support of the Government.

The House rules setting the jurisdiction for committees, including the Committee on Appropriations include the following:

#### Committee on Appropriations

(a) Appropriation of the revenue for the support of the Government.

(b) The committee is authorized. . .to conduct studies and examinations of the organizations and operation of any executive department or other executive agency. . .as it may deem necessary to assist it in the determination of matters within its jurisdiction.

U.S. Congress, House, Constitution, Jefferson's Manual and Rules of the House of Representatives, 91st Congress, 2nd session (1971).

<sup>35</sup>Fenno, Power of the Purse, page 135.

<sup>36</sup>Ibid.

constituencies require that senators be responsive to a wide range of issues. The smaller size of the Senate also allows for greater participation of elites in a less formally structured environment.

It has been observed that congressional-ILO interaction has occurred primarily at the committee and subcommittee level. But within the committee structure, the House and Senate appropriations committees have been the focal points.

While other committees share a degree of jurisdiction in ILO interaction,<sup>37</sup> the House Appropriations Committee's Subcommittee on State, Justice and Commerce, the Judiciary, and Related Agencies has historically held the primary responsibility; with the Senate Committee on Appropriations' Subcommittee on State, Justice, Commerce and the Judiciary, generally manifesting less involvement in congressional-ILO participation.

#### Organizational and Individual Actor Interaction

The difference between the House and Senate appropriations process for the ILO is perhaps a reflection both upon differing organizational and individual actor goals manifested between the two chambers, and special characteristics of the appropriations process.

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<sup>37</sup>For example, jurisdiction over ILO matters is found in the House Committee on Foreign Affairs Subcommittee on International Organization and Movements in its "responsibilities. . .to continue. . .oversights in U.S. participation in the ILO;" in the House Committee on Education and Labor's oversight of "measures relating to education and labor generally;" in the House Committee on Government Operations, Foreign Operations and Government Information Subcommittee's responsibility in the area of "the economy and efficiency of operations over various agencies and matters including foreign intergovernmental relations;" in the Senate Committee on Government Operations' responsibility to study "the intergovernmental relationships between the United States and international organizations of which the United States is a member;" and in the Senate Committee on the Judiciary's Subcommittee on Constitutional Amendments and its responsibility over possible amendments to the Constitution. See the Senate Manual and the Rules of the House of Representatives for additional jurisdictional information.

Janis has observed that not all cohesive groups suffer from the faulty decision-making process he has called "groupthink," although symptoms may be displayed from time to time in almost all cohesive groups. As Janis has said:

The more amiability and esprit de corps among the members of a policy-making in-group, the greater is the danger that independent critical thinking will be replaced by groupthink, which is likely to result in irrational and dehumanizing actions directed against out-groups.<sup>38</sup>

Fenno's investigation of House committee systems and the House and Senate appropriations committees, along with studies by Polsby,<sup>39</sup> Rieselbach,<sup>40</sup> Bolling,<sup>41</sup> Miller,<sup>42</sup> and other students of congressional politics suggests that a high level of cohesiveness does exist within the committee system. The implications of cohesiveness and other small unit traits are further developed in the following chapter in the context of the ILO interaction on appropriations and foreign affairs committees and subcommittees.

At the level of expectation and behavior, Fenno has noted that the Senate committee's relationship to the Senate body is characterized by less structural differentiation and less conflict than in the corresponding House relationship.<sup>43</sup>

While individual goals in both bodies reflect a general quest for influence, organizational differences such as size and division of authority tend to set the parameters for objectives of individual actors. An important distinction which Fenno has noted is that in the House it is perceived as necessary for the committee to develop a collective distinctiveness and autonomy if the committee is to serve successfully as a vehicle for fulfillment of an individual's goals. The Senate structure makes this process unnecessary for the achievement of its members' goals.<sup>44</sup>

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<sup>38</sup>Janis, Victims of Groupthink, page 13.

<sup>39</sup>Nelson W. Polsby, Congress and the Presidency.

<sup>40</sup>Leroy N. Rieselbach, Congressional Politics.

<sup>41</sup>Richard Bolling, House out of Order (New York: Dutton, 1965).

<sup>42</sup>Clem Miller, Member of the House, John W. Baker (ed.).

<sup>43</sup>Fenno, Power of the Purse, page 561.

<sup>44</sup>Ibid., page 562.

### The Executive Agency Framework

Unlike the congressional system, the executive agencies are structured along the lines of a more traditional bureaucratic framework. According to Warwick these include:

(a) hierarchical structure involving the delegation of authority from the top to the bottom of an organization;

(b) series of official positions or offices, each having prescribed duties and responsibilities;

(c) formal rules, regulations, and standards governing operations of the organization and the behavior of its members;

(d) technically qualified personnel employed on a career basis, with promotion based on qualifications and performance.<sup>45</sup>

While the above four characteristics do not substantially conflict with the classical Weberian model, the interaction process between two independent variables, hierarchy and rules, in the executive branch bureaucracy does contribute to organizational and individual goal formation beyond the parameters of Weber's analysis. The interaction process assumes that the level of hierarchy and the volume of rules will be influenced by other variables such as the agency's task and external environmental constraints.

Within the executive bureaucracy, State, Labor and Commerce are the interacting units. The policy area is foreign policy, or more specifically interaction in the ILO policy and planning and representation process. The focal point for each agency is found in its international affairs branch: for Labor it is the Bureau of International Labor Affairs; for Commerce it is the Bureau of Domestic and International Business Administration; and for State it is the Bureau of International Organization Affairs. During the period under analysis, in each bureau there was one, or at most two, desk officers with day-to-day responsibilities for ILO interaction. They prepared for ILO meetings and conferences, and were the focal point for preparation and submission of necessary reports to the ILO for the planning of agency and governmental policy towards the ILO arena, and for the preparation of congressional inputs.

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<sup>45</sup>Warwick, A Theory of Public Bureaucracy, page 4.



## Organizational Aspect

Organizational goals can be either specific to the organizational unit or subunit, or interrelated to all or some organizational units or subunits. For example, the issue of continued U.S. participation in the ILO which was first raised in the mid-1950s, affects the organizational goals of all participating units and subunits. Again, if a political decision were to be reached to intensify criticism of perceived Soviet violations of the Convention on Forced Labor, this would affect organizational goals within the Labor and State Departments' subunits to a greater degree than it would affect the Commerce subunit.

Like the congressional system, goal orientation within the executive bureaucracy is influenced by organizational structure as well as objectives of elites, environmental constraints, and of course, the policy objectives towards substantive issues within the arena.

The client groups, constituencies, allies and adversaries are not limited to the external environment. They also function as dependent variables within the organizational unit and among subunits of the organization. The independent variables, as previously noted, are the hierarchical structure and rules.<sup>46</sup> For example, within the Department of Labor, the hierarchical structure from top to bottom ran from the Secretary of Labor to the Under-Secretary of Labor, to the Deputy Under-Secretary of Labor for International Affairs, to the Associate Deputy Under-Secretary of Labor for International Affairs, to the Director of the Office of Policy and Program Development (OPPD) to the Assistant Director for International Organizations, the Program and Policy Coordinator for ILO Affairs, and finally to the staff members of OPPD.<sup>47</sup>

The day-to-day outputs emanated from the OPPD staff. Internal client groups included other Labor Department divisions with inputs into the ILO participatory process. This would include the Solicitor's Office and the Bureau of Labor Statistics on an ongoing basis, and other divisions in accordance with the requirements of substantive policy issues. Hierarchical ties were vertical, but unlike the Weber model, the flow of policy would appear to be largely from bottom to top during periods of standard operating procedure.

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<sup>46</sup>Donald P. Warwick, A Theory of Public Bureaucracy, pages 24, 25 ff.

<sup>47</sup>U.S. Department of Labor, Labor Department Organization Manual (Washington, D.C.: Government Printing Office, 1974), sections 12-1; and interviews with OPPD staff.



One former director of OPPD explained the function in these terms:

Every time a new Associate Deputy was appointed I had the lengthy task of 'educating' him concerning the flow of ILO policy inputs. I learned what his style was, and shaped the form of my inputs accordingly. Within a few months he generally would approve my reports on a pro forma basis.<sup>48</sup>

The limited interest in the ILO by high-level American participants cited by the GAO<sup>49</sup> and confirmed by interviews during this investigation may explain partially the bottom-to-top policy flow phenomenon. Another interview source noted:

At the higher levels of agency bureaucracy--especially in the State Department--there is little interest in U.S. participation in the ILO and decision-makers seek to avoid any in-depth participation in ILO policy planning.<sup>50</sup>

While formal hierarchical lines are vertically structured in the three agencies, informal horizontal ties have been observed internally within departments and among constituents. Within the Department of Labor, OPPD staff have developed horizontal coordinating and policy and planning ties. This phenomenon can also be observed in OPPD linkage to other Labor Department bureaus. For example, OPPD staff have developed horizontal linkages with the Solicitor's staff for resolution and adjustment of common issues.

Although executive agencies function within the general framework of U.S. governmental goals, each agency also reflects its individual objectives emanating from organizational, environmental, bureaucratic politics and policy factors. For example, the Labor Department is also the lead agency in the ILO interaction process, except for budgetary, and, to a degree, political issues. But the Department has also developed special relationships with external environmental actors such as the AFL-CIO and Congress. Labor Department

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<sup>48</sup> John Lawyer, interviewed in Washington, D.C., May 1977.

<sup>49</sup> U.S., Comptroller General of the United States, Report to the Senate Committee on Governmental Affairs: Need for U.S. Objectives in the International Labor Organization (May 1977), page 24.

<sup>50</sup> Former State Department official, interviewed in Washington, D.C., June 1977.

elites must, in formulating ILO policy, consider goal orientation not only in the context of the Department's lead role, but also in the context of objectives of its external environmental actors. Structural aspects enter into the goal formation process. Not only do organizational subunits formulate goals in the context of their subunit specialty, but also in terms of subjectively perceived needs such as survival and growth of the subunit and acquisition of influence by elites and subunits of the subunit.

### Worker Goal Expectations

Samuel Gompers, it was noted earlier, was aware that labor in the United States and Europe differed on political, social and procedural issues. Alcock, in reference to a statement in the American Federationist, has concluded that Gompers arrived in Europe in 1919 hoping to found a new international trade-union movement, not realizing that the proposed labor organization to be developed by the Labor Commission in Paris would be an intergovernmental organization with trade-union and management inputs.<sup>51</sup> The Gompers statement is more ambiguous than Alcock has suggested,<sup>52</sup> but Alcock is indeed correct in stating that the election of Gompers as Chairman led to a paradoxical situation in which the "champion of worker advancement through trade-union activity, opposed to the settlement of working-class problems through government legislation. . ."<sup>53</sup> was Chairman of the Commission which would establish an organization to develop an international legislative code.<sup>54</sup>

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<sup>51</sup>Alcock, History of the International Labor Organization, page 26.

<sup>52</sup>The Gompers statement, "We are fully prepared to meet any situation which may arise. We hope to found a new trade-union movement for the protection of workers of all countries," is cited in Matthew Woll's "American Federation of Labor Mission is Taking Lead in Shaping Peace Congress Action," American Federationist, vol. XXVI, no. 3, page 226.

<sup>53</sup>Alcock, History of the International Labor Organization, page 26. Moynihan, The United States and the Origins of the ILO, has provided a detailed account of the American participation in the Commission on International Labor Legislation at the Peace Conference. Moynihan has explored at length Gompers' solitary position--frequently in opposition with European labor leaders--at the Conference. Pages 109-200.

<sup>54</sup>Alcock, page 26.

The international labor objectives of American trade-union elites from Samuel Gompers to the 1977 withdrawal have appeared somewhat dualistic in the ILO participatory context. Within the ILO arena, the U.S. worker voting record has suggested a high degree of alignment with its functional counterparts on the substantive issues.<sup>55</sup> The voting record on ILO budgetary issues has indicated that the workers have been the American unit most favorable towards budgetary and concomitant program expansion. American trade-union elites, both in ILO participation and general foreign policy activities, appear to have been motivated by a genuine desire to improve global working conditions. The old argument that improved working and living conditions in other countries will have a positive effect on the American economy, has a degree of application. But it should not be overlooked that trade unionists, even American trade unionists, are historically linked to a long struggle to attain rights and privileges for their special interest group. The revolutionary, and at times not so revolutionary, cry to organize, or as Mr. Meany would have said: "organ-EYEze,"<sup>56</sup> is part of a tradition lacking in the governmental or employer sections.

Yet the participatory record of the American worker unit is also indicative of an alignment with United States Government and Employer units regarding the so-called politicized issues.

It has been observed that the State Department has viewed ILO goal objectives primarily in the context of broader foreign policy issues.<sup>57</sup> The position of the Worker unit is possibly more complex, and has a direct bearing on the American unionists' perception of conditions necessary for trade-union independence. Within the U.S. participatory units it has been the workers and employers who have been the guardians of the tripartite structure. For example, in the 1950s when the Communist Employer delegations were attempting to obtain representation within the Employer structure,<sup>58</sup> it was the

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<sup>55</sup>Hislop, The U.S. and the Soviet Union in the ILO, pages 175-80.

<sup>56</sup>Goulden, Meany, page 467.

<sup>57</sup>Edward B. Persons, interviewed in Washington, D.C., March 1, 1977.

<sup>58</sup>A ten-member committee (four Government, three Employers and three Workers) was established in March 1958 under the chairmanship of Roberto Ago, the Italian governmental delegate. The Ago Committee, which was to consider the matter of the working of the Conference with the newly added Communist participation, presented its report to the Governing

U.S. Employer unit that remained the most doctrinarily inflexible upholder of the orthodox tripartism.<sup>59</sup> Again, in 1965, in response to a U.S. governmental compromise regarding increased Communist representation on the industrial committees, it was the U.S. Worker unit which threatened to boycott unless it was consulted regarding American government policy in the ILO arena.<sup>60</sup>

According to one interview source, the AFL-CIO elites pragmatically recognize that absolute trade-union independence is elusive and illusory, hence the U.S. Worker unit has interacted with trade unions of varying degrees of purity. However, American trade-union elites have emphasized that, while they do not oppose governmental interaction with Communist governments, either in the ILO or in the broader foreign policy picture, U.S. trade-union interaction with the Communist variant would give legitimacy to a form of "company unionism" which domestically has been an anathema to American trade unions.<sup>61</sup>

Goal orientation within the United States Government unit--both because of size and structure--has encompassed not only the program and political issues within the ILO arena, but also organizational and bureaucratic politics inputs. The individual and small-group bargaining structures and organizational patterns within the trade-union federation are not directly comparable to those found in the executive branch or congressional structures, but it will be seen that the input of these frameworks is not without relevance.

Because of the comparative structural simplicity of the AFL-CIO, top level elites are generally aware of events and problems within the ILO arena. The same cannot always be said of the top level governmental elites with an indirect role in ILO policy and planning. Issues therefore

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Body in March, 1959. The effect of the Ago Committee report, as adopted in its amended form, was to provide an appeals procedure so that Communist delegates could be admitted to voting positions within the Employer and Worker groups. See ILO, XLIII Annual Conference, Proceedings, pages 43-115.

<sup>59</sup>U.S., Congress, House, Committee on Education and Labor, Ad Hoc Subcommittee on the International Labor Organization, United States Participation in the International Labor Organization, 88th Congress, 1st session (1963), Statement of Richard Wagner, U.S. Employer Delegate to the ILO, pages 26-27.

<sup>60</sup>U.S. Department of Labor, "Mini-Study," page 7.

<sup>61</sup>Ibid.



are not generally buried in the organizational hierarchy, but are considered by the Executive Council and the President.

### U.S. Labor Foreign Policy Objectives

AFL-CIO participation in the ILO arena cannot be separated from the broader aspects of American labor foreign policy any more than U.S. governmental participation in the ILO can be viewed outside the context of the general issues of foreign policy. To do so would be to risk misinterpreting the trade-union perceptions, which are clearly documented in, for example, the Executive Council Proceedings and Reports of the Constitutional Convention.

While some of the American worker objectives are specific to the ILO arena, others, such as the development of independent trade unions, and the creation of environmental conditions conducive to the implementation of their interpretation of human rights and development of the American labor system are general objectives of the AFL-CIO's foreign policy. Secondly, within the ILO arena the U.S. unions have been strong supporters of technical cooperation programs which they perceive will aid working and living conditions in the less developed countries.<sup>62</sup>

The AFL-CIO, like the Chamber of Commerce, shares many of the previously cited U.S. Government political goal expectations in the ILO, although emphasis is not always identical. However, in terms of specific objectives which are of particular concern for the American workers, the list would include promotion of free trade unions and the implementation of basic human rights conventions on freedom of association, forced labor and collective bargaining. The American trade unionists have generally supported ILO program activities, especially those that would enhance development of trade-union movements in less developed states. Although both the ILO secretariat and the program proposals generally reflect a Western orientation, the AFL-CIO has tended to look to its own bilateral programs and institutes rather than to vigorously back the ILO's multilateral efforts. One knowledgeable critic has suggested the AFL-CIO position may reflect George Meany's reluctance to support an organization which he cannot control directly.<sup>63</sup>

The AFL-CIO, although not a member of the ICFTU at the time of this writing, attended the ICFTU caucus during the

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<sup>62</sup>See, for example, U.S., Congress, House, Committee on Education and Labor, Hearings before the Ad Hoc Subcommittee on the International Labor Organization, 88th Congress, 1st session (1963). Statement of Rudolph Faupl.

<sup>63</sup>Robert W. Cox, "Labor and Hegemony," page 400.



ILO's annual conference, and generally supported the ICFTU's positions.<sup>64</sup> High on the list of the AFL-CIO's priorities in the ILO was the development of a Western alliance to prevent what it considered to be further Soviet gains in the organization.

The American government has recognized that it could expect the AFL-CIO to react forcefully regarding issues which would legitimize the role of Communist workers or employers. Communist violations of ILO Conventions and Recommendations, and more recently, participation of political movements such as the PLO, which the AFL-CIO considered hostile to its interests.

Differing objectives have led to tension among the American participants. In 1956 it was management criticism of the ILO which led to the formation of the Johnson Committee. In 1965, as previously noted, it was the AFL-CIO that threatened to boycott the Conference when the U.S. Government participated in the creation of a formula to place Communist states in new seats on an expanded Industrial Committee structure. The AFL-CIO agreed to name a Worker delegation to the Conference only after policy guidelines guaranteeing a forceful U.S. Government position on East-West issues had been prepared and approved personally by George Meany and employer and government elites.<sup>65</sup>

The question of politicization of the arena is central to another U.S. labor objective. According to congressional testimony, the AFL-CIO believed that the reentry of the Soviet Union and the active participation of the Eastern European nations increased the degree of politicization in the ILO. Windmuller has argued that the ILO was politicized before the reentry of the Soviet Union.<sup>66</sup> The very nature of the ILO's mandate, especially its mandate as revised following the second world war, encompassed subjects that were inherently controversial. The great issues of the second half of the twentieth century--how to house, feed, educate and employ the millions of Third World citizens--cannot be solved in a political vacuum. Nor can the questions of human

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<sup>64</sup>Amal Mukherjee, ILO Worker's Relations Branch, interviewed in Geneva, May 1978.

<sup>65</sup>See U.S. Department of State, "Memorandum for the Secretary," April 23, 1965, page 1 (declassified under the provisions of the Freedom of Information Act); also Department of Labor, "ILO Mini-Study," pages 6-7.

<sup>66</sup>John P. Windmuller, "U.S. Participation in the ILO: the Political Dimension," Proceedings of the 27th Annual Meeting for the Industrial Relations Research Association, page 102.

rights be seriously considered without due regard for the differences that exist between East and West, and more recently, between North and South. The position of the AFL-CIO in this regard has been well summarized in the following tripartite statement:

In recent years the ILO has become increasingly and excessively involved in political issues which are quite beyond the competence and mandate of the organization. The ILO does have a legitimate and necessary interest in certain issues with political ramifications. It has major responsibility, for example, for international action to promote and protect fundamental human rights, particularly in respect of freedom of association, trade-union rights, and the abolition of forced labor. But international politics is not the main business of the ILO. Questions involving relations between states and proclamations of economic principles should be left to the United Nations and other international agencies where their consideration is more relevant to those organizations' responsibilities. Irrelevant political issues divert the attention of the ILO from improving the conditions of workers--that is, from questions on which the tripartite structure of the ILO gives the organization a unique advantage over the other, purely governmental organizations of the UN family.<sup>67</sup>

Politicization in the ILO arena is subjective to the extent that U.S. worker elites have perceived the process as occurring when "political" events unfavorable to their objectives take place. Some U.S. government participants have long recognized both the political nature of the arena and its objectives, and this is underlined both in the Johnson Report and in the first GAO study. If one were to accept Windmuller's reference to the term "political" in connection with the "competition between the constituent components of an organization for power and influence," then the political aspects have always been part of the ILO with respect to formation of priorities for its substantive work, its policy-making process, appointment of high-ranking officials and allocation of resources.<sup>68</sup> Or, as Windmuller has noted, "the very

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<sup>67</sup>Henry A. Kissinger to the Director-General, International Labor Organization, November 5, 1975, reprinted in "United States Letter to ILO," ILO Press Release, November 6, 1975, pages 3-4.

<sup>68</sup>Windmuller, "U.S. Participation in the ILO, pages 102-103.

establishment of the ILO represented a political decision by the great powers at Versailles to direct the world order toward peaceful social change as an infinitely more desirable alternative to violent social revolution."<sup>69</sup>

In the broader scope of international affairs the AFL-CIO has viewed its role as one of "peace and freedom." But, "[T]he peace the Federation seeks is not peace at any price, but a lasting peace which will enable nations of every race, color and creed to work together for a world free from dictatorship and poverty."<sup>70</sup> In seeking to accomplish this lofty aim, the AFL and later the combined AFL-CIO, within the framework of the American free enterprise system, shared areas of common interest with both American government and management.

### Systemic Elements in Worker Participation

The use of the ILO arena as an instrument in an elite-actor bargaining mode is something of a variant of the Allison and Halperin model of bureaucratic politics, in which reference is made to "governmental systems in which many players in the central game hold their positions because of political influence and aspire to the position of chief executive of the government. . ."<sup>71</sup>

Furthermore, it would be a mistake to overemphasize the importance of bureaucratic politics interaction in trade-union participation toward the ILO. The dispute between George Meany and Walter Reuther over the 1966 Worker boycott, the earlier struggle between the AFL and the CIO concerning ILO representation, and other incidents do not appear to be representative of the general role of American labor participation in the ILO, which has been noteworthy for its cohesiveness, not divisiveness.

A more plausible argument could be made for a "group-think" framework in which Reuther, as a deviant from the norm, was being increasingly isolated by members of the Executive Council. Labor researchers have noted that the relationship between Meany and Reuther was stormy from the time of the merger in 1955 until Reuther's death in 1969.<sup>72</sup>

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<sup>69</sup> Ibid., page 103.

<sup>70</sup> AFL-CIO, "This is the AFL-CIO" (Washington, D.C., AFL-CIO publication no. 20, revised April 1977), page 11.

<sup>71</sup> Graham T. Allison and Morton H. Halperin, "Bureaucratic Politics, A Paradigm and Some Policy Implications, page 49.

<sup>72</sup> See, for example, Goulden, Meany, chapters 12 and 16.

Reuther's biographers have posited that the differences between the two men may have been rooted in environmental factors: Meany, the son of an Irish trade unionist, appears to have been strongly influenced by the craft-union concept and the Roman Catholic Church; Reuther's heritage was in a class-struggle tradition that was more suggestive of mass unionism.<sup>73</sup> Others have speculated that their differences resulted from a struggle for leadership of the Federation.<sup>74</sup> However, beginning in the mid-1960s Reuther's position on foreign policy issues reflected increasing isolation from the Executive Council. For example, at a special meeting of the Executive Council, members voted eighteen to six to adopt a resolution which "fully supports and endorses the President of the AFL-CIO and the recent action of the U.S. worker's delegation to the International Labor Conference."<sup>75</sup>

Windmuller has observed that not only did the former AFL officials back the resolution, but three out of nine former presidents of CIO unions abandoned Reuther in the vote.<sup>76</sup> Additionally, Reuther was at odds with George Meany and the majority of the Executive Council over the AFL-CIO's support of the Johnson and Nixon administration's Vietnam War policy.<sup>77</sup>

Meany's June 10 letter was a reply to charges that Reuther had made public in a June 9 letter regarding the UAW's objections to the Faupl walkout. Meany advised Reuther that he was calling a meeting of the Executive Council to examine the issue and the differences it had created within the Federation. Meany added:

. . . I read the story of your letter in great detail in the Washington Post. The story emphasized that the letter represented a major split in the American trade-union movement which threatened "the eleven-year merger of American labor."

I was, to say the least, somewhat surprised that you were disturbed about what happened

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<sup>73</sup> Frank Cormier and William J. Eaton, Reuther (Englewood Cliffs, N.J.: Prentice-Hall, 1970), page 406.

<sup>74</sup> See, for example, George Harrison, in Ibid., page 418.

<sup>75</sup> AFL-CIO News Service, "Council Votes Full Support of Protest Walkout from ILO Meeting," June 16, 1966, page 1.

<sup>76</sup> Windmuller, "The Foreign Policy Conflict in American Labor," Political Science Quarterly, page 213; and Idem., U.S. Participation in the ILO, page 155.

<sup>77</sup> Goulden, Meany, chapter 16.



in Geneva ten days ago. Especially so, because of the fact that you and I spent an entire day together on Friday, June 3, at which time you did not bring up the matter. . . .

It was Meany's contention that if Reuther was seriously concerned about the ILO walkout then bringing the matter before the press would only serve to accentuate differences within the trade-union movement, and not resolve the problem. He said, ". . . I seriously question the wisdom of giving widespread publicity to a matter which is surely an internal affair of the AFL-CIO." He advised that the matter be pursued through internal channels before being turned into a publicity campaign. Meany noted that the press had been giving greater coverage to the possibility of a split within the AFL-CIO than to the walkout in Geneva.<sup>78</sup>

#### Government-Labor Interaction

A substantial amount of material has been published concerning specific instances of government-labor inter-

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<sup>78</sup> See Rudolph Faupl, "Report to George Meany, President, and Members of the Executive Council, AFL-CIO." The ILO aspect of the dispute between Meany and Reuther occurred in respect to Faupl's withdrawal of the U.S. Worker delegation following the election of the Polish Government delegate as president of the 1966 International Labor Conference. Reuther apparently believed that the AFL-CIO had planned in advance to stage a walkout if the Polish delegate won (UAW Administrative Letter, XVIII, no. 11, June 17, 1966, page 6). While Reuther's strongest objection apparently concerned the lack of consultation, a letter from Reuther to Meany following a UAW Executive Board meeting objected to the walkout. The letter challenged the right of Faupl to take such action without prior consultation, and demanded that Meany direct the delegation to end the boycott. (John Herling's Labor Letter, June 25, 1966, pages 102.)

Meany responded by calling a special meeting of the AFL-CIO Executive Council. The issue was one that Windmuller has characterized as "one of confidence in his (Meany's) leadership." (Page 213 in John P. Windmuller, "The Foreign Policy Conflict in American Labor," Political Science Quarterly, vol. LXXXII, no. 2, June 1967), especially pages 205-214 for a detailed account of the walkout; also AFL-CIO News Service, "Council Votes Full Support of Protest Walkout from ILO Meeting," and letter from George Meany to Walter Reuther, June 10, 1966.



action in post-second world war U.S. foreign policy.<sup>79</sup> The non-revisionist historians acknowledge instances of government-labor, or labor-management interaction in foreign affairs, but view the cooperative interaction as isolated events in which parties perceived mutual benefit, rather than in terms of a framework which governs labor's foreign policy.<sup>80</sup> In the non-revisionist framework labor and government retain independence but interact in areas of perceived mutual interest. The revisionists tend to regard labor foreign policy as tied to governmental demands. In the context of a bureaucratic politics framework the revisionists would posit the existence of coalitions between labor elites and government and business elites who support policy formation leading to inflexible anti-Communist positions in a Cold War mode. Radosh, for example, views trade-union elites as acquiescing within a system of corporate capitalism, and receiving as payoff, limited social reform.<sup>81</sup>

The difference between the revisionists and the non-revisionists then would appear to be found in the degree of independence retained by the actors while pursuing shared goal expectations. If it could be demonstrated that the revisionists' thesis of trade-union subservience to government foreign policy is applicable, then a strong case could be made that the American tripartite decision-making process in the ILO is similar to that of a more unitary state participant such as the Soviet Union. However, examination of the participatory process and voting record of American units does not support this contention.<sup>82</sup> The scope of mutuality of interest does raise the issue, both within the ILO arena, and in the broader context of labor foreign policy, of whether the AFL-CIO has perceived its foreign policy interests to be so harmonious with governmental foreign policy that only differences of strategy exist.

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<sup>79</sup> See, for example, Sidney Lens, "Partners: Labor and the CIA," The Progressive, vol. 39, no. 2 (February 1975), pages 35-39; Idem., "Lovestone Diplomacy," The Nation, vol. 201, no. 1 (July 5, 1967); Stanley Meisler, "Meddling in Latin America," The Nation, vol. 198, no. 7 (February 10, 1964). Richard Dudman, "Agent Meany," The New Republic, vol. 160, no. 8 (May 3, 1969); and Henry W. Berger, "American Labor Overseas," The Nation, vol. 204, no. 3 (January 16, 1967).

<sup>80</sup> George C. Lodge, Spearheads of Democracy (New York: Harper & Row, 1962), chapter 1.

<sup>81</sup> Ronald Radosh, American Labor, page 6.

<sup>82</sup> See voting tables in appendices.

It is not the intention of this study to provide a detailed investigation of the merits of the revisionist and non-revisionist positions toward American labor's foreign policy. However, in the following section an attempt is made to consider U.S. government-labor and U.S. labor-management foreign policy interaction in terms of possible spillover into the ILO arena.

The revisionists have been critical of the U.S. labor rationale in international affairs. Berger has posited that the AFL viewed the international scene in terms of protectionism with goals tied to business unionism.<sup>83</sup> While Berger has credited the AFL with helping to develop some unions, especially in Latin America, he has said this was based on enlightened self-interest in the form of higher wages leading to reduced competition.<sup>84</sup> Lens has observed that since the end of the second world war, the AFL and later the combined AFL-CIO followed the pattern described below:

1. Except in a few instances where it disagreed with U.S. policy (usually because it was not "tough" enough on Communism), it has acted virtually as an agent for the American Government on a broad basis.
2. It has followed overseas a role so aggressive as to be a factor in the internal life of other nations.
3. It has become involved, indirectly at least, in intelligence activities.<sup>85</sup>

Lens has acknowledged that the AFL and the AFL-CIO have taken strong positions sometimes in conflict with the U.S. Government on issues of colonialism and racism. However, it is in the area of anti-Communism that the revisionists perceive the Federation to have been an instrument of U.S. Government policy.<sup>86</sup> Lens has said:

When the State Department wanted the communists out of the government in France, Irving Brown organized and financed the split of the Force Ouvriere from the communist-controlled General

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<sup>83</sup>Henry W. Berger, "American Labor Overseas," The Nation page 80.

<sup>84</sup>Ibid.

<sup>85</sup>Sidney Lens, "Lovestone Diplomacy," The Nation, page 10.

<sup>86</sup>Idem., "Partners: Labor and the CIA," The Progressive, pages 35-36

Confederation of Labor (CGT). When the State Department wanted President Cheddi Jagan ousted in Guiana (now Guyana), the AFL-CIO encouraged an opposition faction to strike against a new labor bill and sent in six of its people to dispense a million dollars of CIA money to keep the strike going.<sup>87</sup>

The degree of common interest is an issue that has divided students of labor relations. The revisionist critics appear to regard the AFL-CIO foreign policy as a latter-day fulfillment of Arthur W. Calhoun's prophecy of organized labor going "along with triumphant American capitalism in its conquest of the world."<sup>88</sup> Radosh, for example, has portrayed labor leaders from Gompers to the present as having aided the State Department in its pursuit of foreign policy objectives.<sup>89</sup> Lens has added:

What the U.S. Government does not do directly, because it would be flagrant meddling with the internal affairs of other nations, and what the CIA cannot do because it is suspect, the AFL-CIO does on their behalf.<sup>90</sup>

#### Historical Patterns

The revisionists have perceived a pattern in government-labor relations that began with Samuel Gompers and President Wilson and has continued to the present.<sup>91</sup> However, they have noted that the scale of interaction increased markedly following the second world war and the implementation of the Marshall Plan.<sup>92</sup> The allocation of funds and a resolution calling for the creation of a Free Trade Union Committee (FTUC) and a \$1 million Free Trade Union Fund, at the 1944 AFL annual convention, appears to have been the watershed, marking the beginning of American labor's increased participation in foreign affairs.<sup>93</sup> The FTUC, an outgrowth of a

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<sup>87</sup> Ibid., page 36.

<sup>88</sup> Arthur W. Calhoun, "Labor's New Economic Policy," in J.B.S. Hardman (ed.), American Labor Dynamics (New York: Harcourt, Brace, 1928), page 322.

<sup>89</sup> Ronald Radosh, American Labor and United States Foreign Policy (New York: Random House, 1969), page 4.

<sup>90</sup> Sidney Lens, "Lovestone Diplomacy," The Nation, page 11.

<sup>91</sup> Radosh, American Labor, chapters 1-9 for a comprehensive revisionist review of pre-second world war government-labor interaction.

<sup>92</sup> Lens, "Partners: Labor and the CIA," page 36.

<sup>93</sup> AFL, Proceedings, 64th Annual Convention (1944), pages 556-57.

wartime effort by a small number of American trade unionists to preserve a free trade-union structure in Europe, became the focal point of postwar AFL international activities. Matthew Woll of the Photo-Engraver's Union, who headed the Labor League for Human Rights; and David Dubinsky, president of the powerful International Ladies' Garment Workers' Union (ILGWU) and organizer of the Jewish Labor Committee, were two of the most active trade-union elites in postwar foreign affairs.<sup>94</sup>

Aside from Dubinsky, a member of the AFL's first delegation to the ILO, Woll and Meany, there was little participation in foreign affairs by the late 1940s.<sup>95</sup> Through the mechanism of the FTUC, the minority of elites in the AFL interested in pursuing international affairs was able to put together a significant program. Revisionists have posited that the staff structure of the FTUC was made up of political extremists.<sup>96</sup> Jay Lovestone, former head of the American Communist Party, later turned arch anti-Communist, became the FTUC's executive director. His right-hand man in Europe was Irving Brown, who in 1976 was appointed U.S. Worker delegate to the ILO. Brown had served with Lovestone since the mid-1930s when, according to Lens, he infiltrated a left-wing Socialist Party caucus on Lovestone's behalf.<sup>97</sup> In 1946 Serafino Romualdi joined the AFL payroll, but worked through the FTUC representing American labor interests in Latin America.<sup>98</sup> Additionally, the FTUC engaged two representatives in Asia.<sup>99</sup>

The role of the AFL and the AFL-CIO overseas has been well documented. Although there have been numerous reports of American trade-union interaction with the government, especially the Central Intelligence Agency, supporting evidence of government interaction has not been entirely unimpeachable, at least until overt funding of the AFL-CIO's regional labor

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<sup>94</sup> Roy Godson, American Labor and European Politics, page 35.

<sup>95</sup> A number of labor writers have cited labor's isolationist tendencies in the postwar period. See, for example, Philip Taft, The AF of L from the Death of Gompers to the Merger; John P. Windmuller, American Labor and the International Labor Movement, 1940-1953 (Ithaca, N.Y.: Cornell University Press, 1954); and Godson, American Labor and European Politics.

<sup>96</sup> See, for example, Sidney Lens, "Lovestone Diplomacy," pages 13-15.

<sup>97</sup> Ibid., page 14.

<sup>98</sup> Godson, American Labor and European Politics, pages 38-39.

<sup>99</sup> Goulden, Meany, pages 127-28.



institutes by AID began in the early 1960s.<sup>100</sup>

### Legitimate Trade-Union Interests

There are several questions which need to be posed in an examination of government-labor interaction. First, in what instances, if any, has the federation gone beyond its legitimate trade-union interests in the implementation of foreign policy objectives? Secondly, if instances have occurred, what has been the government-labor relationship?

The answer to the first question would hinge on the definition of "legitimate trade-union interests." Any limitation placed on these interests is necessarily arbitrary. There are, of course, differences between the goals subjectively perceived by the trade-union elites and those more objectively perceived by the analyst working outside the trade-union framework. But beyond this is the question of what constitutes legitimate trade-union interests. The arbitrary definition utilized for the purpose of this investigation is that legitimate trade-union interests are divided into two groups listed in descending order of importance: (a) those aspects which are directly related to the survival and functioning of the American trade-union structure; and (b) those aspects which are indirectly related to the survival and functioning of the American trade-union structure. An example of (a) would be the right to freedom of association in the United States; while (b) might constitute the survival of freedom of association in a Latin American state. It is further posited that trade-union interests become less legitimate as they become less specific to trade unions. For example, AFL-CIO support for administration Vietnam policy during the Johnson and Nixon eras reflected federation elites' general

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<sup>100</sup> See, for example, Thomas Braden, "I'm Glad the CIA is 'Immoral,'" Saturday Evening Post, May 20, 1967, pages 9-13; Goulden, Meany, chapter 6; Lens, "Partners: Labor and the CIA"; Idem., "Lovestone Diplomacy"; Godson, American Labor and European Politics, pages 128-29; Paul Jacobs, "How the CIA Makes Liars of Union Leaders," Ramparts, vol. 5, no. 10 (April 1967), pages 25-28. For information on the American Institute for Free Labor Development (AIFLD), see Survey of Labor Policies and Programs, a study prepared by R.H. Dockery for the staff of the Senate Committee on Foreign Relations, 91st Congress, 1st session (1969); and American Institute for Free Labor Development. Hearings before the Senate Committee on Foreign Relations, 91st Congress, 1st session (August 1, 1969), Testimony of George Meany.



foreign policy perceptions. Although AFL-CIO elites may have perceived that free trade unions existed or might have been able to exist under the South Vietnamese regime, a North Vietnamese victory did not represent a real or perceived direct threat to survival of American trade unions. At best, AFL-CIO support for the administration policy represented indirect legitimate interests.

Any division between primary and secondary trade-union interests is further clouded by the complex interactive process with American government and management. If U.S. labor foreign policy is viewed as a spillover from the domestic interactive process, then it would be difficult to separate labor from the global hegemonic role of American business and government cited by Cox and others. Within foreign policy, just as within domestic policy, differences would exist among government, labor and management units, but expansion of the American industrial system would be a common goal.<sup>101</sup>

It could be argued that under the terms of the above definition almost any American trade-union activity abroad would be of indirect legitimate interest. In most cases this would be a valid assumption. However, there have been instances where an occurrence abroad would trigger events which would affect the legitimate interests of American trade unions. For example, the rise of Hitler and the subsequent war can clearly be said to have had the potential to affect the survival of American trade unions, not only in a military sense, but also economically. It is clear that AFL-CIO elites have viewed Communism as a similar threat.<sup>102</sup>

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<sup>101</sup> Positions adopted by the AFL-CIO on specific issues of direct trade-union concern would tend to refute this argument. For example, in the 1970s the AFL-CIO began to adopt a more protectionist stance and has voiced concern about domestic jobs being lost to overseas subsidiaries of American corporations. The AFL-CIO has attempted to block the extension of the most-favored-nation tariff concessions to certain states, has opposed extension of the life of the Overseas Private Investment Corporation (OPIC) and has been critical of the role of the Export-Import Bank. (See, for example, AFL-CIO, "Labor Looks at Congress, 1977.")

<sup>102</sup> According to a statement in the AFL-CIO's First Constitutional Convention:

. . .the present struggle between the Communist dictatorships and the free world is not a collision between two power blocs. . .but between

A problem arises concerning perception. If AFL-CIO elites reflect a cold war orientation, viewing Communism as monolithic and bent on world revolution, then Communism anywhere might be perceived as a direct threat to the American trade-union structure.<sup>103</sup> This would lead to a situation in which perception of threat would cause the federation to deviate from a more liberal and flexible State Department policy of detente. A subjective viewing of a world in which "everywhere we see the dark shadows of Communism spreading"<sup>104</sup> lends itself to extremist interpretations in which any action--no matter how remote from objectively viewed legitimate trade-union interests--can be justified.

Returning to the question of American labor-government interaction; revisionists have compiled an extensive list of AFL and AFL-CIO international activities which they consider outside of the scope of legitimate trade-union interests. While the scope of activity remains open to debate, it is virtually beyond contention that the AFL, for example, did play a key role following the second world war in a drive to limit Communist influence in European trade unions. The fact that Thomas Braden, a former CIA official with responsibility for some covert funding operations, has acknowledged CIA funding of trade-union activities through Irving Brown is, in a sense, of secondary importance.<sup>105</sup> For the purpose

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two conflicting ways of life--democracy, despite all its imperfections and Communist totalitarianism with its all-embracing program of world conquest and transformation. Soviet imperialism seeks to subvert and conquer the free world and remold all society in line with its Communist preconceptions of a new social order. (Reprinted in AFL-CIO Executive Council Reports, 1957, page 165.)

also, Irving Brown, "American Policy and the Third World: Lessons Learned from Vietnam," in Labor and International Affairs, vol. II (1973), International Labor Program, Georgetown University, pages 30-56. Brown on pages 40-41 discusses Western European labor rapprochement with Communists and constitutional Communist victory--as in Chile.

<sup>103</sup> George Meany has stated, "Trade unionism cannot survive in a Communist world. Trade unionism and totalitarianism are like oil and water--they don't mix." AFL-CIO Free Trade Union News, vol. 3, no. 9 (September 1975), page 7.

<sup>104</sup> Ibid.

<sup>105</sup> Thomas W. Braden, "I'm Glad the CIA is 'Immoral'," page 10.

of measuring spillover into the ILO arena, what is important is not that interaction occurred, but why it occurred and who controlled the interaction.

While Braden acknowledged that the CIA was channeling some \$2 million annually through Lovestone and Brown in support of non-communist unions in France and Italy, he said that the CIA subsequently reduced the funding because Lovestone would not allow the CIA to control the use of the funds.<sup>106</sup> This is suggestive that trade-union elites participated on the basis of mutual interest rather than subservience to the government or government agency.<sup>107</sup>

Whether the AFL-CIO has been an equal or subservient partner, the premise remains that the trade-union federation has opted for an interactive role in the promotion of the foreign needs of the American labor system--a system founded upon a government-labor-management symbiotic relationship.

### Government Funding

American government-labor interaction concerning the funding and scope of the American Institute for Free Labor Development (AIFLD) is suggestive of another instance of perceived mutual advantage. AIFLD, founded in 1961 by

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<sup>106</sup>Ibid., page 13.

<sup>107</sup>In 1967 several articles appeared which linked CIA funding to three American trade unions: the American Newspaper Guild, the American Federation of State, County and Municipal Workers and the Oil Workers International Union (see Ramparts, vol. 5, no. 10 (April 1967)). On May 8, 1967 George Meany, at a press conference, stated that the American Newspaper Guild had severed ties with foundations which were alleged to be CIA conduits, but had no conclusive proof that the foundations were financed by the CIA. He said the Oil Workers were also not aware of any CIA link with the foundations, and he had no knowledge of the American Federation of State, County and Municipal Employees. Paul Jacobs, writing in Ramparts, reported that "CIA agents have been placed in unions and CIA funds have financed a major part of their overseas operations. In addition, the activities of some organizations peripheral to the trade unions have also been financed, in part or whole, by the CIA and used as cover for CIA agents" (vol. 5, no. 10, April 1967, page 25). During the press conference, Meany denied any knowledge of CIA funding to the AFL or the AFL-CIO and termed Braden's statement concerning Irving Brown "a lie" (page 3). Interviewed in March 1978, Brown once again denied receiving funds from Braden.

George Meany and Joseph Beirne of the Communications Workers, not only receives significant overt government funding, but it is also supported by management. Peter W. Grace of W.R. Grace and Company became Chairman of the Board. The purpose of AIFLD, according to Lens, is "to train Latin Americans in Lovestone-Romualdi principles of anti-communism."<sup>108</sup> Its students, he has said, "have provided the core for right-wing anti-communist machinations by the CIA and State in many Latin nations."<sup>109</sup> The AFL-CIO has described the organization in somewhat different terms: "the institute. . . is basically a training school for young trade-union leaders. . . . They learn trade-union techniques, basic economics and the practical application of democracy."<sup>110</sup> The AFL-CIO has established similar organizations in Africa (the African-American Labor Center) and in Asia (the Asian-American Free Labor Institute). It should be noted that a study prepared for the staff of the Senate Committee on Foreign Relations, which was critical of some aspects of AIFLD, failed to uncover any evidence that AIFLD received CIA funds or other "undisclosed AIFLD funding or secret agreements."<sup>111</sup> In addition to its education program, AIFLD also provides technical assistance to labor unions by sponsoring low-cost housing, cooperatives, community facilities and other small projects. Financing is provided by AID funds.<sup>112</sup>

While revisionists have tended to view AIFLD as an example of government subversion of Latin American trade unions through the AFL-CIO mechanism, Senator J.W. Fulbright portrayed AIFLD in a very different light. Senator Fulbright was critical of the organization, not on the grounds that it was subservient to government interests, but on the grounds that the AID financial support was the "price we paid for Mr. Meany's support in Vietnam."<sup>113</sup> His suggestion was that the government was serving the AFL-CIO, not that the AFL-CIO was serving the government. However, Senator Fulbright was unable adequately to substantiate the charges and subsequently, at Meany's behest, modified his allegation, stating, ". . . I am not saying positively here what you have done is against our interests, but it certainly is worthy of

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<sup>108</sup> Sidney Lens, "Partners: Labor and the CIA," page 38. Romualdi was appointed director of AIFLD.

<sup>109</sup> Ibid.

<sup>110</sup> AFL-CIO, This is the AFL-CIO.

<sup>111</sup> Dockery Report, page 31.

<sup>112</sup> Philip Taft, Defending Freedom: American Labor and Foreign Affairs (Los Angeles: Nash, 1973), chapter II.

<sup>113</sup> U.S., Congress, Senate, Committee on Foreign Relations, American Institute for Free Labor Development, page 9.



very serious consideration that these activities may not have aroused opposition because people are often very sensitive to intrusion from abroad in their domestic affairs."<sup>114</sup>

The McNair Committee Report observed that "the variety of methods whereby governments participate in the social and economic life of their countries is infinite. . ."<sup>115</sup> That there has been American government-labor interaction in foreign policy is beyond doubt. Indeed the amount of AID contribution to AIFLD is available for public examination in audited AIFLD financial reports.

Trade-union elites subjectively determine the limits of legitimate trade-union interests. A more objective analysis, for example, might not substantiate the AFL-CIO's perception of the "dark shadows of Communism" spreading across the world; a perception which subjectively gives legitimacy to what could otherwise be construed as extremist policies.

As to the nature of government-labor interaction, both government and labor are clearly committed to a free enterprise system. However, in the foreign policy arena there remains the question of degree. The AFL and AFL-CIO have actively pursued a philosophy that the greatest safeguard to free enterprise is more free enterprise. The federation, through its regional labor centers and direct intervention in states, has sought to preserve, and in instances expand, free trade-union structures around the world. The government, in a unitary, rational actor mode, faced with competing foreign policy demands, has been unable to pursue as direct a program. However, the strong circumstantial evidence of CIA interaction with some American trade unions, and the overt AID funding would suggest that a degree of alignment may occur between American trade unions and government agencies when mutual interest is perceived. This linkage could be dysfunctional to the degree that it might conflict with stated governmental foreign policy objectives. CIA linkage with International Telephone and Telegraph Corporation (ITT), a government-management linkage, would provide a more current example of this phenomenon.<sup>116</sup>

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<sup>114</sup>Ibid., page 84.

<sup>115</sup>ILO, Official Bulletin, "Report of the Committee on Freedom of Employers' and Workers' Organizations" (McNair Committee Report), vol. XXXIX, no. 9 (1956), page 492.

<sup>116</sup>See, for example, "U.S. Near Decision on Helms," The Washington Post, August 15, 1977, page 5, for a review of 1973 and 1975 Helms testimony to the Senate Foreign Relations Committee on CIA activities in Chile.



## Degree of Independence

In the context of ILO spillover, it is not sufficient to establish government-labor or government-management linkage, either foreign or domestic. The test is in the degree of independence exhibited within the ILO arena. The above examination has established that through the free enterprise mechanism, American units have shared many common goal expectations and that the units have been willing to work together when mutual interest is evident. There has been no evidence found to suggest that this process has gone beyond mutual interest. The U.S. voting record in the International Labor Conference is indicative of tripartite independence regarding program issues.<sup>117</sup> Disputes among U.S. units concerning, for example, pursuit of tripartism is indicative of independent strategy. However, on a more general level, can it be said that a state in which the representative units are in agreement concerning the basic operational framework (e.g., free enterprise) exhibits tripartite independence? The answer, without a lengthy historical digression, is both yes and no. Yes in the sense that the ILO, under its founding principles, was established to provide a resolution mechanism so that workers could interact with employers with the aim of bettering their welfare. This is the functional level of the ILO. However, at the political level, not all member states are represented by independent Worker and Employer units. Without independent representation, the functional mechanism of the ILO cannot work as intended. The problem is that not all member states agree on what constitutes independent representation. The case of fascist Spain was relatively clear. Representation of Communist states is another matter, since the McNair Committee report established the legitimacy of Communist representation.

A review of the Soviet Union's voting record in the Annual Conference would suggest that on the program level, unlike in the American units, there is no independence.<sup>118</sup> However, on issues relating to political questions, except for strategy differences, American units have exhibited an almost equally high degree of cohesiveness in response to Communist participation, as has the Eastern European bloc in response to the tripartite issue.<sup>119</sup> In this sense, the answer is no.

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<sup>117</sup> See appendices, Tables 8, 9 and 10; also Hislop, The U.S. and the Soviet Union in the ILO, pages 175-80.

<sup>118</sup> Hislop, The United States and the Soviet Union in the ILO, pages 175-80.

<sup>119</sup> See ILO, Annual Labor Conference Proceedings, 1962-1972.

## American Labor and Management Interaction in the International Environment

In the post-second world war period, the attitude of the AFL and later the combined AFL-CIO toward Communist participation in international trade unions is linked to the federation's position on Communist trade-union participation in the ILO.

The AFL declined to participate in the World Federation of Trade Unions (WFTU), an organization which it perceived as under the dominance of the Soviet Union.<sup>120</sup> With WFTU opposition to the Marshall Plan, the AFL began a struggle against the WFTU. The AFL played a major role in events which led the free trade unions to split with the WFTU and create a new organization, the International Confederation of Free Trade Unions (ICFTU).<sup>121</sup>

The AFL, and then in 1955 the merged AFL-CIO, participated in the ICFTU for approximately twenty years before it withdrew from the organization. The criteria for withdrawal from the ICFTU do not provide an exact parallel to the problems perceived by American labor in the ILO arena, because a primary consideration was the AFL-CIO's Executive Council complaint of ICFTU interference in the internal affairs of an affiliate.<sup>122</sup> Additionally, the AFL-CIO was displeased over its perception that the ICFTU had not displayed sufficient vigor in discouraging fraternization with Communist trade unions. Admission of Communist unions to international trade secretariats (industry-wide associations) was also a serious complaint.<sup>123</sup>

These last two points are reflective of the AFL-CIO's attitude toward dealing with Communist trade unions. It is reminiscent of AFL attitudes towards company unions in the United States prior to the Wagner Act. In ILO participation, the U.S. workers hold the position that Communist trade unions are not the functional counterparts of Western trade unions: they are perceived as being under Government and Party control, they do not negotiate wages, working conditions or other benefits; nor do they strike, boycott or take other traditional measures to display grievances. Further, the AFL-CIO has perceived that Communist unions, if

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<sup>120</sup>Robert J. Watt, "WFTU and Slave Labor," American Federationist, vol. 53, no. 12 (December 1944), pages 20-21.

<sup>121</sup>Philip Taft, Defending Freedom: American Labor and Foreign Affairs, page 147.

<sup>122</sup>"The AFL-CIO and the ICFTU," Executive Council Statement, May 14, 1969, in AFL-CIO Free Trade Union News, May 1969, page 2.

<sup>123</sup>Taft, Defending Freedom, pages 158-59.

allowed to join an international organization, will attempt to utilize the organization to subvert free trade unions and spread Communist propaganda.<sup>124</sup>

The AFL-CIO withdrawal from the ICFTU and subsequent emphasis on bilateral programs, while not directly related to withdrawal from the ILO, has provoked comment from some labor observers that the AFL-CIO may not be willing or able to make the necessary compromises to effectively participate in multilateral programs.<sup>125</sup>

The ILO constitution has provided for the independence of the Worker and Employer units of a state's representative group. While the theory does not give way to practice in all member states, the United States government has been cautious to ensure that the American Worker and Employer units retain their independent stature. However, it may seem probable, and indeed this study has hypothesized, that the general domestic cohesiveness outlined in chapter three would preclude any substantial departure from cohesiveness in broad goal objectives, especially in foreign policy areas. Differences existed regarding both the substantive aspects of the ILO's technical work and the means to achieve foreign policy objectives.

With the exception of the conflict between Meany and Reuther, which spilled over into aspects of ILO participation, the U.S. worker representation in the ILO arena has been marked by continuity of policy and a high level of cohesiveness by elites. Employer interaction in and towards the ILO arena has not always reflected similar high levels of program continuity or cohesiveness by elites.

Even before the United States joined the ILO, management was of a divided mind concerning the organization. In the 1920s the N.A.M. was of the opinion that the ILO was a collectivist organization at variance with the American industrial system, while the Chamber more optimistically viewed the ILO as a possible mechanism to raise global labor standards and wages, to ensure that the United States would not be undercut in production costs.<sup>126</sup> In 1924 the N.A.M. adopted a "Platform of American Industry" in which the tone was set for N.A.M. objections which developed in the

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<sup>124</sup>Watt, "WFTU and Slave Labor," pages 20-21.

<sup>125</sup>Cox, "Labor and Hegemony," pages 399-400; and Goulden, Meany, pages 276-279.

<sup>126</sup>Powers, "American Employer Behavior in the International Labor Organization," page 260.

1950s. The platform stated that the ILO was "developing a philosophy in which individual freedom is sacrificed to the federated control of individual and industrial liberty."<sup>127</sup>

Powers has speculated that during the Chamber period the "nature of employer participation and the alliance between organized labor and the Democratic Administration" resulted in interunit solidarity between 1934 and 1944.<sup>128</sup> Unfortunately, data in the Powers investigation cover a later period and have no direct relevance to his statement concerning the 1934 to 1944 period. However, data in the Hislop study, while far from conclusive, suggest that there was a high degree of U.S. group cohesion during the first decade of American participation.<sup>129</sup>

Within the U.S. Employer unit it can be posited that modification of the independent variable-- participation of elites--has produced changes in program and policy objectives. Examinations of the Convention roll call votes during the 1945 to 1948 period in which James D. Zellerbach was the Employer delegate and the 1952-1956 period in which William L. McGrath was the delegate would suggest a substantial shift in the perceived objectives of the U.S. Employer participation.<sup>130</sup>

#### Variables

It would be a gross simplification to overly stress the elite factor to the exclusion of other variables. Both Zellerbach and McGrath may be said to represent extremes within the management framework;<sup>131</sup> however, there were both domestic and foreign policy issues whose impact also may have contributed to changes in U.S. employer goal structure. Other variables, for example, would include entry of the N.A.M. into the Employer participatory unit, Employer response to the ILO's mandate, enlarged by the Declaration of Philadelphia, conflict between Taft-Hartley provisions

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<sup>127</sup>Thomas Spates, "The Employers of the United States and the International Labor Organization," Annals of the American Academy of Political and Social Science, CLXVI (March 1943), page 151.

<sup>128</sup>Powers, "American Employer Behavior in the International Labor Organization," page 261.

<sup>129</sup>Hislop, The United States and the Soviet Union in the International Labor Organization, page 173 ff.

<sup>130</sup>Ibid.

<sup>131</sup>Zellerbach, selected during the Roosevelt Administration, was considered a progress "New Deal" management



and ILO legislation, basic employer opposition to international standards in Convention form and Soviet reentry into the ILO with its concomitant issue of erosion of the principle of tripartism in favor of a universality of membership.

Nevertheless, there remains a very basic difference between the Zellerbach position, as stated in 1956 House Committee on Foreign Affairs hearings, and that of McGrath. Zellerbach defended the ILO, denied that it was Communist-dominated and urged the United States to retain its membership.<sup>132</sup> In contrast, McGrath urged the United States to withdraw from the ILO and was highly critical of what he perceived as Communist domination of the arena and a so-called approach to legislation.<sup>133</sup> While both men were critical of Soviet influence in the ILO, Zellerbach's approach was to urge the United States to stay and support its interests in the arena, while McGrath characterized the situation as hopeless and urged withdrawal.

By the time of Soviet reentry, the earlier disagreements between N.A.M. and the U.S. Chamber of Commerce had yielded to a general consensus. Employer dissatisfaction, voiced by both the Chamber and N.A.M., was instrumental in encouraging government appointment of the Johnson Committee. The criticism voiced in a Chamber resolution of 28 January 1956, and supported by the N.A.M., included the following eight points, which although they cannot be termed policy objectives, indicated management perception of the ILO's policy and purpose:

- (1) The activities of the International Labor Organization have gone far afield from the original concept of the achievement of social justice within the field of labor-management relations;
- (2) There has been undue interference with the internal affairs of nations, beyond the proper scope of international agreement;
- (3) The International Labor Organization is being used as a propaganda forum for statism and socialism;

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representative; while McGrath was characterized by a colleague as an "arch-conservative."

<sup>132</sup>U.S., Congress, House, Hearings Before the Subcommittee on International Organizations and Movements, Committee on Foreign Affairs, 84th Congress, 2nd session (1956), page 117.

<sup>133</sup>Ibid., page 96 ff.



(4) The technical assistance program has been subverted to the distribution of statist and socialist ideologies and propaganda;

(5) The tripartite system of representation by government, employer and worker delegates is a failure;

(6) The entry of the Soviet Union and its satellites into the International Labor Organization has made a mockery of free and independent employer and worker representation;

(7) By and large the staff of the International Labor Organization is nonobjective and dangerously devoted to the accomplishment of statist and socialist ideologies;

(8) The proper functions of the International Labor Organization are now or could be performed by various other agencies now in existence.<sup>134</sup>

However, severe criticism of the ILO among U.S. management was not unanimous. The Chamber of Commerce of New York and the Commerce and Industry Association of New York issued generally favorable reports.<sup>135</sup> Also, as has previously been noted, the findings of the Johnson Committee generally refuted the charges by the Chamber and N.A.M. and urged continued U.S. participation.

#### Cohesiveness

It has been posited that American units have exhibited a high degree of cohesiveness concerning general policy objectives in ILO participation. However, considerable disagreement has occurred concerning achievement of goals and the usefulness of the ILO to American foreign policy objectives. For example, in 1955 George Meany charged that ". . . William McGrath is aiding and abetting Communist efforts to wreck the International Labor Organization."<sup>136</sup>

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<sup>134</sup>U.S., Congress, House, Committee on Foreign Affairs, Subcommittee on International Organizations and Movements, U.S. Participation in the International Labor Organization, Part III, Winning the Cold War: The U.S. Ideological Offensive, 88th Congress, 1st session (1963), page 370.

<sup>135</sup>U.S., Congress, House, Committee on Education and Labor, Hearings Before the Ad Hoc Subcommittee on the International Labor Organization, 88th Congress, 1st session (1963), page 164. Also, Commerce and Industry Association of New York, Inc., "American Employers and the International Labor Organization," (undated, circa 1956).

<sup>136</sup>"George Meany Plays McGrath," American Federationist, vol. 62, no. 7 (July 1955), page 7.

Meany perceived that the Communists wanted to destroy the ILO in order to prevent exposure of their forced labor system, and that U.S. withdrawal as proposed by McGrath, "plays right into the hands of the Moscow hierarchy."<sup>137</sup>

The Johnson Committee report and subsequent government studies have viewed objectives generally in terms of perceived foreign policy benefits, which inherently fall into the political realm.

Nevertheless, it should be recalled that the establishment of the ILO, while politically motivated as an alternative to Bolshevism, was designed to improve the lot of the worker.<sup>138</sup> In Beyond the Nation-State, Haas has indicated that in spite of the inroads by the ideology of cold war politics, there remain substantive issues of contention among units.<sup>139</sup> This point can be documented by an examination of U.S. groups' voting record on ILO Conventions and Recommendations. While American labor has acknowledged that ILO legislation is of little direct relevance, its Convention and Recommendation voting record indicates support for measures that its functional allies in the ILO arena consider beneficial for labor.<sup>140</sup> Additionally, American labor, more than other U.S. participants, has been more consistently critical of any state--not just Communist states--where freedom of association is at issue and where the delegates to the ILO are perceived as not being representatives of free trade-union members.

### Interaction

Two forms of interaction can be distinguished in American worker and employer participation in the ILO arena. The first is interdelegation, i.e., conflict and accommodation among U.S. units. Accommodation has generally been reached regarding political, especially foreign policy, goals; conflict has most frequently developed in program areas such as ILO legislation. Secondly, however, the American Worker and Employer units interacted with their functional allies (counterparts from other member states). Examination of conference debate, while far from conclusive, does suggest that accommodation was most often reached in the program areas, and conflict oc-

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<sup>137</sup> Ibid.

<sup>138</sup> Moynihan, The U.S. and the ILO, chapter 2; and Alcock, History of the ILO, chapter 1.

<sup>139</sup> Haas, Beyond the Nation-State, page 197 ff.

<sup>140</sup> See Appendix, Tables 11 and 12.

curred when employers' or workers' goals were not in agreement with U.S. employer or U.S. worker perceptions of U.S. foreign policy objectives. For example, although the employers' group was displeased with the outcome of the Ago Report, the group reached a decision to remain and try to effect changes from within the structure. The American Employer delegate, as one of the three delegates to walk out of the technical committees in the 1960 annual conference, found himself isolated from the bulk of the employers.<sup>141</sup> This same phenomenon can be seen in the U.S. Worker delegate's decision to boycott the 1966 Annual Conference.<sup>142</sup>

During much of the postwar period, especially from 1952 to 1961, the U.S. employers cast negative or abstaining votes on Conventions, not only because of the opposition to the substance, but because of opposition to the form as well. Therefore, U.S. employer input into the roll call voting record of Conventions is somewhat dysfunctional, and more weight should be placed on U.S. employer voting trends on Recommendations, since American employers were not categorically opposed to the form.

#### Summary

The formation of policy objectives relating to both political and program aspects of ILO participation has been traditionally a weak point in the participation of American units. For example, the General Accounting Office in 1970 concluded that United States policy objectives towards the ILO were broadly defined and not measurable. In 1977 the GAO concluded that little action had been taken regarding its earlier criticism of American participation in the ILO.<sup>143</sup>

Although objectives may have been poorly defined, it has been assumed in this chapter's investigation that objectives, implicit or otherwise, do exist, and are observable, even if not always measurable.

It has been posited that in large bureaucracies, especially within the executive agencies, organizational factors have influenced goal formation where interest and/or participation of high-level officials has been lacking. A small number of middle-level officials have become the de facto policy creators as they have responded to what

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<sup>141</sup>Alcock, History of the ILO, page 311.

<sup>142</sup>See page 95, below.

<sup>143</sup>GAO, Need for U.S. Objectives in the International Labor Organization, pages i-iv.

they have perceived have been American policy objectives within the ILO. During crisis periods, high-level officials have become more active participants, but their role in establishing or influencing long-term objectives would appear minimal.

Given the independent tripartite nature of the ILO, worker and employer goal expectations need not coincide with those of government. However, in the case of the United States, it was posited in chapter three that the three units have been in basic agreement concerning the desirability of a free enterprise framework both at home and abroad. Measurement of record votes on ILO Conventions and Recommendations would suggest substantial differences among American units: the government has voted in favor of ninety per cent of all Conventions from 1967 to 1972, employers forty per cent and workers one-hundred per cent; the government has voted in favor of ninety-four per cent of Recommendations during the same period; employers seventy-five per cent, and workers one-hundred per cent.<sup>144</sup> However, the voting record would be misleading if it were used alone to substantiate claims of disunity among the American participants.

Although the American workers and employers have supported their functional counterparts on many non-political issues, the American delegation has been noteworthy for its cohesiveness concerning issues which reflect upon the value of the free enterprise system or the condemnation of Communist states.

No evidence has been presented that would suggest American governmental pressure towards a common voting pattern, although both the Worker and Employer units have, in instances, demanded a greater role in the formation of government policy.

In the absence of clearly set objectives and high-level official participation, the Simon concept of "satisficing" of competing demands has come into play. With the exception of patterns of behavior by elites discussed in the following chapters, goals have tended to reflect consensual elements among American participants. Added to this has been the low level of manpower and funding accorded to the executive agency participatory units, which has ensured that a more comprehensive approach would not be developed within the mid-level bureaucracy.

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<sup>144</sup>See Appendix, Tables 11 and 12.



Goal formation by the Congress has also reflected a mix between organizational, individual and small group inputs. Organizational aspects have been observed in the committee system, with its high level of autonomy and specialization, especially within the House of Representatives. For example, within the House Appropriations Committee, goal objectives may be based on criteria ranging from cost effectiveness to preservation of committee jurisdiction or to promotion of committee member reelection. Additionally, the high level of power accumulated by certain elected officials has enabled these individuals to pursue goals which may be dysfunctional in terms of the needs of other participating units. Furthermore, the congressional structure has enabled special interest groups to make their views felt in all facets of American life. Both labor and management have utilized this forum to project their goal expectations regarding American participation in the ILO.

It has been questioned whether agreement on goal formation may be implicit and follow a pattern which has been visible in interaction among American labor, management and government in bilateral programs. For example, AIFLD receives funds from government, labor and management. Furthermore, extensive documentation has caused serious questions to be raised concerning linkage between the AFL and later the AFL-CIO and certain government agencies, notably the Central Intelligence Agency.

Government-labor or government-management linkage in foreign policy activities outside of the scope of the ILO is not necessarily indicative of similar activities within the arena. Since no source material is available to shed light on the question of interaction within the arena, an effort has been made in this chapter to explore whether external goal expectations have been based on perception of balanced mutual interest or whether one segment has been able to successfully dominate the other.

## CHAPTER VI

### THE ORIGINS OF THE DECISION TO WITHHOLD FUNDS

The chain of events, which for brevity will be referred to as the "financial crisis," began shortly after the 1970 resignation of ILO Director General David A. Morse, an American, and election of American-supported C. Wilfred Jenks, a British subject, to succeed Morse. In June 1970, at the close of a meeting between Jenks and George H. Hildebrand, the Labor Department's Deputy Under Secretary for International Labor Affairs (and U.S. Government delegate to the ILO), Jenks informed Hildebrand of his intention to appoint a Soviet national as one of five assistant directors general.

Among other matters, the meeting between Jenks and Hildebrand had concerned the proposed appointment of an American to a high-level post within the ILO, since the resignation of David Morse had left the ILO without an American in its senior directorate.<sup>1</sup> This was Hildebrand's third meeting with Jenks, since his election as director general. In the previous meetings, they had also discussed the appointment of a high-ranking American. According to Hildebrand, at the third meeting Jenks casually said, "And by the way, I should tell you that as a result of administrative actions taken before I assumed this office, I am appointing a Russian to become Assistant Director-General."<sup>2</sup>

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<sup>1</sup>Departments of State, Justice, Commerce, the Judiciary, and Related Agencies of Appropriations for 1971. Hearings Before a Subcommittee of the Committee on Appropriations, House of Representatives, 91st Congress, 2nd session, part 5; Additional Testimony on the International Labor Organization (Washington, D.C.: Government Printing Office, 1970, hereafter referred to as Rooney Hearings), page 71.

<sup>2</sup>Ibid. The attempt by Jenks to explain the decision to make the appointment as resulting from "administrative actions," by Morse would appear to be contradicted by Morse's statement that following his 1970 disclosure of his intention to resign he gave assurance to the U.S. ambassador in Geneva that he would not appoint a Soviet deputy director-general before leaving (interview in Washington, D.C., August 10, 1977).

American participants were undoubtedly aware that Morse, for over a decade, had been seeking a compromise formula that would appease both the Soviet Union, which had been pressuring for the appointment, and the United States, especially the labor unit, which had been exerting strong pressure to prevent any such appointment. Morse briefly thought that he had found a mechanism to resolve the conflict when, in the 1960s, George Meany agreed to his proposal to upgrade a Soviet national (P.D. Orlov, who was a special assistant to the director general) to a position as deputy director general. However, after Meany consulted with the American Worker delegate, he changed his mind and said this would represent a "back door" approach to giving the Soviet Union the position it wanted.<sup>3</sup>

It has been suggested that Morse's resignation may have been linked to his feeling that he would no longer be able to prevent a crisis from developing over the issue of the appointment.<sup>4</sup> Morse has denied this and has cited both personal considerations and needs of the ILO.<sup>5</sup>

#### The Appointment

One government study has reported that the appointment was considered objectionable because of "the speed with which the appointment was made and the failure to accord the United States the courtesy of an opportunity to discuss the matter before the decision was taken."<sup>6</sup>

While the appointment of Pavel Astapenko as an assistant director general served as the precipitating factor, this issue rapidly became joined to a number of outstanding grievances perceived by American participants. In 1971 the United States government indicated that the grievances included:

. . .tolerance of attacks upon the U.S. at ILO meetings, inclusion of Soviet propaganda in official ILO publications, concession to Soviet pressure at the expense of ILO's tripartite

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<sup>3</sup>Morse, interviewed in Washington, D.C., August 10, 1977.

<sup>4</sup>For example, see Cox, "Labor and Hegemony," page 402.

<sup>5</sup>Morse, interviewed in Washington, D.C., August 10, 1977; also Governing Body Minutes, 178th session, March 1970, Annex, page 14.

<sup>6</sup>The Hildebrand Report, page 1.

system, and discriminatory treatment in favor of the communist states relative to other governments.<sup>7</sup>

Although the appointment did become linked to other grievances, from the analytical perspective it may be fruitful to separate momentarily the appointment issue from other problems. It could be argued that the appointment would have little direct impact because the post which Astapenko was to occupy would provide him with largely titular command over a department primarily concerned with social security and maritime issues. Cox, who was chef de cabinet under the Morse administration has said, "Assistant directors-general are at most consultants and advisors to a director-general who wants to listen to them and at the least (the most usual case) are highly paid supernumeraries."<sup>8</sup>

Meany, whose involvement with the ILO spanned the entire postwar period, displayed a selective interpretation of the power and structure of the ILO secretariat when he stated before the Rooney subcommittee:

It would mean that a certain percentage, at least several hundreds of these employees, would be under the direct supervision and domination of this man, and I can tell you from long experience that he will use that position to make each and every employee a Communist agent whether he wants to be or not. They do not fool around. They don't acquire power that they put on the back burner.<sup>9</sup>

If the ILO had been the first of the international organizations to consider appointing a Soviet national to its directorate, then the AFL-CIO's alarm perhaps could be viewed as a legitimate manifestation of caution in the face of uncertainty. However, this was far from the case. Soviet nationals had served in high-ranking positions in the United Nations since its inception without disruptive results. Additionally, the ILO, because of its constitution and structure, has reflected a higher degree of Western influence than other organizations such as UNIDO or UNCTAD.

Although the Astapenko post was largely honorific, it may have appeared to Meany to represent an unwelcome shift in the ILO's power balance. The market economy trade-union

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<sup>7</sup> Ibid.

<sup>8</sup> Cox, "Labor and Hegemony," page 401.

<sup>9</sup> Rooney Hearings, pages 58-59.



and management representatives were the most threatened by the dilution of tripartism which accompanied the entrance of the planned economy states. Most governments are essentially content to work within a unitary framework. For them--and this is true for subunits within the United States government--tripartism had become anachronistic and somewhat of a hindrance. The relatively few Worker and Employer units from the market economy member states are the groups most threatened by movement away from the original conception of tripartism. Meany may have perceived that not only was the United States experiencing a decline in influence vis-a-vis Third World and Socialist members, but also the nongovernmental units were in the most vulnerable position. Considering that Meany apparently explored the possibility of the Orlov upgrading, it may be plausible that his position was motivated less by a doctrinary reflex than by a desire to avoid an open acknowledgement of a shift in power and influence. The American trade-union attitude appeared to reflect a belief that the Soviet Union could not move to great power status within the ILO without a corresponding reduction in the power and effectiveness of tripartism.

#### Timing of the Appointment

The Astapenko appointment was viewed as both legitimate and inevitable in many quarters. However the manner in which the appointment was made appeared unnecessarily abrupt to American officials.

Part of the difficulty developed during the 1970 campaign to elect a new director general. The other principal candidate was Francis Blanchard, a French national and senior ILO official charged with supervision of technical cooperation programs. Blanchard was strongly supported by his government, and the Soviet Union had agreed to support his candidacy. According to Morse, the American ambassador in Geneva (Rimestad) indicated that the United States would support Jenks because the Soviet Union had announced its support of Blanchard. Morse has suggested that substantive program issues were not an important consideration.<sup>10</sup>

Jenks' strength as a candidate came largely from the power he had been able to accumulate as the second highest official in the ILO secretariat, and to a lesser degree, as a highly regarded international lawyer. According to Cox, much of Jenks' influence flowed both from the patronage that he dispensed in the form of punishment or reward to the delegates and "an apparently single-minded pursuit of what he construed to be the ILO's interest [which] provoked a mixture

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<sup>10</sup>Morse, interviewed in Washington, D.C., August 10, 1977.

of respect, resentment, and fear among those who had to deal with him."<sup>11</sup>

Several weeks before the election two events of importance occurred in Caracas. During an ILO regional conference Jenks met with the president of Venezuela concerning the possible last-minute candidacy of Andres M. Aguilar, a former minister of justice in Venezuela and president of the ILO's 1964 International Labor Conference. Aguilar would have been difficult to defeat. Jenks was apparently successful in persuading the president to influence Aguilar not to run.<sup>12</sup>

Jenks also met with George Hildebrand, and during the conversation they discussed the American position opposing the appointment of a Soviet assistant director general. Hildebrand later reported:

Among the points that I made, one had to do with our opposition as a government and the opposition of our worker and employer delegations to the appointment. . . .

I pointed this out very clearly to Mr. Jenks, and I urged to him that we were not concerned simply with any one state that is a large contributor having representation in the directorate. That was not our problem. Our problem was that the USSR is not like other states. It has a particular kind of society which does not share in the tripartite character that we have in the United States, or that the ILO's constitution is based upon.<sup>13</sup>

It would appear that Jenks compounded his difficulties with the United States, first in Caracas by giving Hildebrand the impression that he was aware of the strong American concern, and then shortly after his election by announcing the appointment without even consulting the United States. Hildebrand later said:

I would say that it is as objectionable that he did not do us the courtesy as a major country, and the largest contributor, of consulting with us before making his decision; instead of that, he announced a fait accompli. This is, I think, as objectionable as the fact of the appointment, itself.<sup>14</sup>

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<sup>11</sup>Cox, "Labor and Hegemony," page 402.

<sup>12</sup>Morse, interviewed in Washington, D.C., August 10, 1977.

<sup>13</sup>Rooney Hearings, page 71.

<sup>14</sup>Ibid.

Responding to the Astapenko appointment, Congressman Rooney added:

As I said previously, this bird Jenks thinks he has inherited the ILO, lock, stock, and barrel. There is about as much democracy under him in ILO as there is in the Soviet Union.<sup>15</sup>

The strategy selected by Jenks reflected a poor understanding of both the domestic American political process and the distribution of influence within United States representation to the ILO. The United States had provided active support for the Jenks candidacy and, following the American political custom, expected benefits from the candidate it supported. The primary payoff would be a tacit understanding that Jenks would consider the American position regarding appointment of a high-ranking Soviet. The fact that Jenks appeared to violate this tacit agreement moved George Meany to contact Congressman Rooney, who promptly brought his subcommittee into session. Had Jenks possessed his predecessor's detailed grasp of American politics, he would have been aware of the scope of Meany's influence and the direction it would probably take in this situation. Additionally, the timing was poor. The ILO appropriations had passed the House but not the Senate. Had Jenks waited until the funds had cleared both branches, he would have had time in which to soothe American tempers.

Jenks was not legally bound to consult the United States or any other member state before making the appointment.<sup>16</sup> However, reliance on legal issues ignores the political realities of the situation. Moreover, Jenks followed the tradition of allowing the Soviet Union to submit only one candidate for the position, while he made it clear to Hildebrand that the Americans would be expected to submit a list of qualified candidates for a position on the directorate and that final selection would be made by him.<sup>17</sup> American representatives interpreted this as a "double standard." Although there was no formal linkage between the Astapenko appointment made by one criterion, and a subsequent appointment made by another criterion, of an American to a high-level post, it became an additional item of contention.

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<sup>15</sup> Ibid., page 79.

<sup>16</sup> ILO, Constitution, article 9, sections 4-5. Jenks consulted the officers of the Governing Body before making the appointment, but the Governing Body was informed, post facto, at its 180th session (See Minutes, pages 10 and 298).

<sup>17</sup> Rooney Hearings, pages 57-58.

Morse has said that in September 1970 Jenks telephoned him in the United States to ask if they could meet so that Morse could advise him on the deteriorating American situation. Morse suggested Geneva, but Jenks vetoed that, saying that he wanted a secret meeting. Morse suggested they meet for lunch in London. Jenks regarded this as too public. They finally agreed to meet in Morse's hotel room. According to Morse, Jenks said that he was puzzled by the magnitude of the American objection. When asked why he had made the appointment without consulting the Americans, Jenks reportedly said that he watched Morse negotiate with the Americans and Soviets for some twenty years. He felt that it would be more effective not to negotiate, but to present the parties with a fait accompli.

Morse indicated that he was surprised that Jenks appeared not to have understood the implications of such an act. He reportedly told Jenks that in view of the discussion with Hildebrand prior to the election, it would have been prudent to consult with the Americans before deciding on the appointment. Morse added that under the circumstances there was no advice he could give Jenks.<sup>18</sup>

#### Congressional Timing

By the time news of the decision to appoint Astapenko reached American participants, the Rooney subcommittee had already adopted a bill containing, among other appropriations, the second half of the United States assessment to the ILO for 1970. As previously stated, at the request of George Meany and with the support of the employers and the Department of Labor, the Rooney subcommittee agreed to hold additional hearings on the ILO.<sup>19</sup> The result of the brief hearings was a request for Senator McClellan's Senate Appropriations Subcommittee, which had not yet acted on the House bill, to remove the \$3,758,875 ILO assessment from the bill. The Senate subcommittee, with little debate, agreed to do so.<sup>20</sup>

It has been observed that the proposed appointment of a Soviet national to a high-level ILO post precipitated the congressional action which led to the deletion of the American assessment to the ILO. The appointment of Astapenko was

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<sup>18</sup> Morse, interviewed in Washington, D.C., August 10, 1977.

<sup>19</sup> U.S. Department of Commerce, Bureau of Domestic Commerce, Background Paper on the ILO and the Department of Commerce's Role Therein, December 1975 (unpublished); also Rooney Hearings, page 2.

<sup>20</sup> Congressional Record, Senate, August 24, 1970, S14103.



perceived by the American decision-makers not as an isolated event, but as a "culmination of something that has been going on ever since the Soviet Union rejoined."<sup>21</sup>

Since Soviet reentry, the American participants, especially those from the Worker and Employer units, have voiced concerns and objections about the role of what they considered to be Government delegates from Communist member states masquerading as Worker and Employer delegates.

The Soviet reentry into the ILO, accompanied by the entry of Byelorussia and the Ukraine, increased the number of Communist bloc powers by three. Secondly, other Communist member states, until then passive participants, began to send full delegations.

#### Domestic Dissatisfaction

U.S. Employer delegate William L. McGrath played a central role in the ensuing conflict, which climaxed in February 1956 with the submission of the McNair Committee report to the Governing Body.<sup>22</sup> The majority report, to the dismay of American participants, defended the claims of universality of membership over those of a more rigid tripartism. Following the 1956 acceptance of universality, it remained for the Governing Body to determine a method to implement the concept. By 1959 the Governing Body had adopted the proposals of the ten-man Ago Committee. The final form adopted at the 1959 Conference, over U.S. objection, established an Appeals Board which granted Communist "employers" voting rights on tripartite committees.<sup>23</sup>

Even before the reentry of the Soviet Union, significant difficulties had developed around the participation of American management. The U.S. employers had supported the election of David A. Morse as Director General in 1948. The employers believed Morse to be sympathetic to their desire for a diminished role for standard-setting by the ILO.<sup>24</sup> Morse

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<sup>21</sup>Rooney Hearings, page 73.

<sup>22</sup>For a detailed analysis of events within the ILO arena during this period, see Alcock, History of the International Labor Organization, chapter 14; Tipton, Participation of the United States in the International Labor Organization, chapter 5; and Hislop, The United States and the Soviet Union in the International Labor Organization, chapter 8.

<sup>23</sup>ILO, Annual Conference, 55th session, 1959, Proceedings.

<sup>24</sup>Haas, Beyond the Nation-State, page 235.

was responsible for large-scale ILO expansion into technical cooperation projects, but in 1952 the annual conference adopted Convention number 102 (social security). The American Employer delegation perceived this as a move toward socialism and centralized government control, and thus, the brief honeymoon between the ILO and the U.S. employers came to an end.<sup>25</sup>

Adoption of Convention 102 had the effect of mobilizing a U.S. employer campaign against the ILO. In addition to the Chamber of Commerce and the N.A.M., two other groups, the American Medical Association (AMA) and the American Bar Association (ABA) played significant roles. The AMA, with a vested interest in the continuance of private and voluntary insurance plans, was especially outspoken in its criticism of what it believed was "Communist domination in the ILO."<sup>26</sup>

Additionally, attacks on the ILO's system of Conventions and Recommendations merged with a movement by the ABA's Committee on Peace and Law through the United Nations and by Senator Bricker (R-Ohio) to amend the United States Constitution to prevent treaties or executive agreements from becoming part of domestic law "unless, and then only to the extent that, Congress shall so provide by Act of Joint Resolution."<sup>27</sup> As McGrath noted, the scope of the Bricker Amendment went beyond ILO legislation:

It applies to all activities of all agencies of the United Nations. The greatest single threat to our liberties is the so-called Covenant of Human Rights. And then comes the Socialist-Labor "Conventions" of the ILO.<sup>28</sup>

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<sup>25</sup>U.S., Congress, House, Committee on Foreign Affairs, Subcommittee on International Organizations and Movements, Statement of William McGrath, Chamber of Commerce of the United States, 84th Congress, 2nd session (1956), pages 96-116.

<sup>26</sup>AMA, Journal, vol. CLIII, no. 2 (September 1953), page 30; and Alcock, History of the International Labor Organization, chapter 14.

<sup>27</sup>Senate Joint Resolution 130, 82nd Congress, 2nd session, section 3 in Hearings before a Subcommittee of the Committee on the Judiciary on S.J. Res. 130 Proposing an Amendment to the Constitution of the United States Relative to the Making of Treaties and Executive Agreements (1952), page 2.

<sup>28</sup>W.L. McGrath, "ILO: Back Door to Socialism," Economic Council Letter, no. 303 (January 15, 1953), in Tipton, page 91.

McGrath's characterization that the ILO presents a "growing threat to the use of treaties as a means of transferring legislative authority over our domestic affairs from our own lawmaking bodies to an international agency" was generally supported by Senator Bricker in subsequent testimony.<sup>29</sup> George P. Delaney, Worker delegate to the ILO, stated that the ILO has no power over a state's domestic or international affairs, that it exercises no legislative authority and that there is no threat that any national sovereignty will be transferred to the ILO.<sup>30</sup>

In reply, Senator Bricker stated that his amendments (Senate Joint Resolution 1 and 43) would not "in any way affect the operations of the ILO as you [Delaney] have set it out here."<sup>31</sup> Although Senator Bricker did add that "if some of the Conventions he [McGrath] talked about [social security and maternity protection] were to become treaties in this country, they would affect our domestic relations in a very decided way."<sup>32</sup>

#### Brickerism and the ILO

Aside from the merits of Senator Bricker's perception that a constitutional amendment was necessary to protect the erosion of American sovereignty from legislation by treaties and executive agreements, a casual reading of the ILO constitution would indicate that: (a) the ILO's ability to influence the legislation and politics of a member state is based on persuasion, not legislative jurisdiction, unless the member state chooses to ratify a treaty; and (b) that the ILO's constitution provided that the government of a federal state system would decide whether a treaty fell under the jurisdiction of the federal government or that of the several states.<sup>33</sup> Of course, in the United States, even if ILO Conventions were ratified, legislative enactments by both the House and Senate would be necessary. As then-Worker delegate George P. Delaney noted:

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<sup>29</sup> U.S., Congress, Senate, Committee on the Judiciary, Hearings on S.J. Res. 1 and S.J. Res. 43, 83rd Congress, 1st session (1953), page 1083.

<sup>30</sup> Ibid., page 1089.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> ILO, Constitution of the International Labor Organization and Standing Orders of the International Labor Conference, Geneva, 1973, Article 19, section 5(e) and 7.

. . .The American Federation of Labor does not look upon the ILO as an avenue for the attainment of domestic legislative programs that we cannot achieve in the ordinary way. To imply that such is our design, hope or intent is to insult our intelligence and common sense, for it should be obvious to anyone who gives the matter any serious consideration that any measure for which we could not secure a favorable simple majority in both House and Senate we could never hope to secure through a two-thirds vote [required for treaty ratification] alone.<sup>34</sup>

### The Ceiling Issue

Although the Bricker amendments did not receive the required congressional support, by 1957 Senator Bricker had proposed another means to curb what he perceived as the dangers of ILO legislation on United States domestic law. The Bricker proposal was tied to Public Law 843 of 30 June 1948, which placed a "ceiling" on American contributions to the UN agencies. The ILO ceiling was set at \$1,091,739; however, in 1950 this was raised to \$1,750,000, corresponding to twenty-five per cent of the ILO's budget.<sup>35</sup> As a result of various increasing costs, the 1956 ILO Annual Conference increased the Organization's budget to the point that the American assessment of twenty-five per cent was approximately \$42,000 above the ceiling.<sup>36</sup> This had occurred with respect to other United Nations agencies, and Congress had either raised or removed the ceilings.

A bill pending before the Senate would have raised the statutory ceiling on American contributions from \$1,750,000 to \$3,000,000--subsequently reduced to \$2,000,000.<sup>37</sup> However, in April 1956 the Resolution (S.J. Res. 73) was passed with two amendments. The first, introduced by Senator Bricker, provided that no funds in excess of \$1,750,000 could be given to the ILO for any calendar year after 1956 if, during the preceding year, Employer or Worker delegates from the Soviet bloc countries were permitted to vote in ILO meetings or

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<sup>34</sup>U.S., Congress, Senate, Committee on the Judiciary, Hearings on S.J. Res. 1 and S.J. Res. 43, page 1088.

<sup>35</sup>U.S., Congress, Senate, Contributions to the International Labor Organization, Calendar no. 535, Report no. 526, 85th Congress, 1st session (1957), page 1.

<sup>36</sup>Ibid., page 2.

<sup>37</sup>Ibid.



conferences. The second amendment, introduced by Senator Fulbright, stipulated that the percentage of contributions to the ILO could not exceed twenty-five per cent.<sup>38</sup>

The bill, known as Senate Joint Resolution 97, was not acted on by the House. By 1958, the Administration had changed its strategy and had inserted in the foreign aid program--through the Mutual Security Act--a clause removing the dollar figure for ILO contributions, in favor of the phrasing, "such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization, but not to exceed 25 per centum of such expenses."<sup>39</sup>

A further amendment by Senator Bricker when the Act was sent to the Senate reinstated a dollar figure--\$2 million.<sup>40</sup> A Joint Conference Committee faced with a 1959 American assessment of \$2,100,000 to the ILO chose to accept the House version without the dollar ceiling.<sup>41</sup> The Bricker amendment would have caused the United States to fall in arrears in its contributions. The House voted in favor of the Joint Conference Committee report, and the Senate did not reopen the issue.

#### The 1970 Decision to Withhold Funds

As for the events leading to the 1970 decision to withhold legally assessed dues, the focal July 31, 1970 hearings before the Rooney subcommittee were surprisingly brief and devoid of all but the most basic exploration of policy options.<sup>42</sup> Following opening remarks by Congressman Rooney,

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<sup>38</sup> Ibid.

<sup>39</sup> U.S., Congress, Senate, Committee on Foreign Relations, Mutual Security Act of 1958, 85th Congress, 2nd session (1958), page 12, Public Law 85-477, section 502 (f).

<sup>40</sup> Congressional Record, Senate, June 6, 1958, pages S9320-4.

<sup>41</sup> U.S., Congress, House, H.R. no. 2038, 85th Congress, 2nd session (1958), page 28.

<sup>42</sup> Rooney Hearings. While there are 79 pages of hearings, pages 6-57 are devoted to a reprint of an article by Carlos Vela, an Ecuadorian professor, entitled "Crisis in the International Labor Organization, Certain Observations Concerning Basic Defects." In addition to John J. Rooney, subcommittee members included Robert L.F. Sikes (D. Florida), John M. Slack (D. West Virginia), Neal Smith (D. Iowa), John F. Flynt, Jr. (D. Georgia), Frank T. Bow (R. Ohio), Elford A. Cederberg (R. Michigan), and Mark Andrews (R. North Dakota).

George Meany presented the American trade-union view of the ILO's history, but mostly centered on the problems that developed following Soviet reentry. This was followed by similar testimony by the American Employer delegate, Edwin P. Neilan. It was in response to a statement by Neilan that "the only way we are going to get this Director General to listen to the American attitude is to give him the fear that he is not going to get the dollars he asked for," that Congressman Rooney commented, "I would go much further. . . I would just go ahead and cut him off. . . Mr. Jenks needs to be rocked. I know of only one way to rock him, cut off his water."<sup>43</sup>

As previously noted, Windmuller has used the term "political" to refer to the competition between the constituent components of an organization for power and influence.<sup>44</sup> If one were to broaden that statement to include competition between members acting outside of the arena, then the "rocking" of Jenks referred to by Rooney would appear politically motivated. Indeed, in response to the U.S. Employer dele-

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The list of witnesses included George Meany, President, AFL-CIO; Edwin Neilan, Employer delegate to the ILO; George H. Hildebrand, Deputy Under Secretary for International Labor Affairs, Department of Labor; Samuel DePalma, Assistant Secretary for International Organization Affairs, Department of State; Philip A. Kleinberger, Director, Office of International Organizations, Department of Labor; Michael Boggs, Associate Inter-American Representative, AFL-CIO; Ernest Lee, International Department, AFL-CIO; Rudolph Faupl, Worker delegate to the ILO; William G. Van Meter, Chamber of Commerce; James F. Steiner, Chamber of Commerce; Oscar H. Nielson, labor specialist, Department of State; George P. Delaney, Special Assistant to the Secretary and Coordinator, International Labor Affairs, Office of the Secretary, Department of State; Edward B. Persons, Foreign Affairs, Department of State; Sidney S. Cummins, International Administration Officer, Bureau of International Organization Affairs, Department of State; Al Delong and John Mulligan, Department of Commerce. It should be noted that only the first four individuals listed actually testified. The others served as support staff.

<sup>43</sup> Rooney Hearings, pages 68-69.

<sup>44</sup> Windmuller, "U.S. Participation in the ILO: the Political Dimension," page 102.

gate's suggestion that the American "delinquency is not going to accomplish the purpose unless it is accompanied by a clear statement of the reason for it. . . ,<sup>45</sup> Congressman Rooney commented that the record of the hearings would be airmailed to the director general.<sup>46</sup>

Rooney's attempt to influence Jenks through subcommittee action appears to violate a member state's obligation to respect the international character of the director general's responsibilities. In this regard, the ILO constitution has provided that:

The responsibilities of the Director-General and the staff shall be exclusively international in character. In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials, responsible only to the organization.

Each Member of the Organization undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.<sup>47</sup>

#### A "Salutary" Effect

Congressman Rooney believed that withholding of American contributions "might cause a salutary effect on everybody, including the UN."<sup>48</sup> In this, he was supported by Meany and Neilan, and somewhat hesitantly by Deputy Under Secretary Hildebrand.<sup>49</sup>

The senior State Department official attending the hearings, Samuel DePalma, Assistant Secretary of State for International Organization Affairs, urged caution.<sup>50</sup> While

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<sup>45</sup> Rooney Hearings, page 70.

<sup>46</sup> Ibid.

<sup>47</sup> ILO Constitution, Article 9, sections 4 and 5.

<sup>48</sup> Rooney Hearings, page 74.

<sup>49</sup> Ibid., page 76. Hildebrand suggested that the threat of withholding payment, rather than the actual withholding, would increase American bargaining power.

<sup>50</sup> Ibid., page 74.

DePalma did not directly oppose the withholding of American funds at the time, he suggested that the step not be taken lightly, without careful consideration as to its impact on the ILO and the United Nations system.<sup>51</sup>

This view was rejected by the subcommittee, and in response to the statement by George Meany that "...if ILO is going the way I see it going. . .then I have no further interest in the ILO and I do not think our government should have any further interest. . .," Congressman Rooney said, "I feel I can confidently say that you are expressing the thoughts of every member of this subcommittee, and I am going to take the liberty, feeling that way, to ask Mr. DePalma to telephone to Ambassador Rimestad (U.S. Mission, Geneva) and tell him to hotfoot it over to Mr. Jenks and tell him before nightfall that there will be no money for the ILO as far as this subcommittee is concerned. . ."<sup>52</sup>

#### Senate Hearings

The Senate Appropriations Committee acted favorably, but not without dissent, on the House request for deletion of ILO funds. Surprisingly, in the Rooney subcommittee supplemental hearings no mention was made of the international legal implications of American refusal to pay its assessed dues. In Senate debate, Senator Jacob Javits (R. New York) explored not only the binding nature of the assessment in terms of the advisory opinion of the International Court of Justice in the case of Certain Expenses of the United Nations, but also possible impact on the United Nations structure.<sup>53</sup>

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<sup>51</sup>Ibid.

<sup>52</sup>Ibid., page 76.

<sup>53</sup>Congressional Record, Senate, August 24, 1970, S14106. A letter from Deputy Under Secretary of State for Administration, William B. Macomber, Jr., to John L. McClellan, Chairman, Subcommittee of the Senate Committee on Appropriations, dated 24 August 1970, cited the following legal and political considerations:

Serious legal consequences will follow on non-payment of the United States assessment if such a recommendation is adopted. The Constitution of the I.L.O. was approved by the Congress by Joint Resolution on June 30, 1948 [ILO Convention number 80, Final Articles Revision], and consequently has the effect of a treaty. Article 13 of the Constitution empowers the General Conference of the I.L.O. to create legally binding financial obligations on Member States. . .



Those elected officials favoring the withholding of assessed dues appeared to do so in response to perceived political issues, specifically the use of the ILO by the Soviet Union and its allies as a political and propaganda forum.<sup>54</sup> By the following year (1971) there had been significant changes in attitudes of elites and perception of improvements within the ILO.<sup>55</sup> However, on June 24, 1971, the House by a 337 to 10 roll-call vote passed the \$3,684,183,000 appropriations for State, Justice, Commerce, the Judiciary and Related Agencies. The appropriations for the ILO were not included in this figure.

Sidney R. Yates (D. Illinois) offered an amendment to restore \$11,600,749 for the U.S. assessment to the ILO. The amendment was defeated by 227 to 147. Rooney, as floor manager of the appropriations bill, led the opposition to the Yates amendment.<sup>56</sup> It was not until the second supplemental appropriations hearings in 1972 that Congress authorized partial payment of the ILO assessment.<sup>57</sup>

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It is therefore clear that the United States has undertaken an international legal duty to pay the share of the budget that has been voted by the I.L.O. General Conference and that we would be in violation of that obligation if we did not pay our full payment. . . . Nonpayment of our dues to the I.L.O. could, of course, lead to the question being raised again in the International Court of Justice [it was the United States that sought an advisory opinion in 1962 concerning French and Soviet payment delinquency in the United Nations]. Moreover, aside from the broader foreign policy implications, failure to pay our obligatory assessment would seriously weaken the ability of the United States to exert influence within the organization.

<sup>54</sup> Ibid., S.14097.

<sup>55</sup> U.S., Congress, Senate, Committee on Appropriations, Subcommittee of the Committee on Appropriations, Hearings, Department of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations for Fiscal Year 1972, 1971, page 1258 ff.

<sup>56</sup> Congressional Quarterly Almanac, 1972, page 225.

<sup>57</sup> Congressional Record, Senate, March 24, 1972.

## CHAPTER VII

### IMPLICATIONS OF THE DECISION TO WITHHOLD FUNDS

As is so often the case, lines which in the abstract delineate the boundaries between frameworks become blurred when applied to a specific case. It rapidly becomes apparent that elites play a multifaceted role, causing spillover from framework to framework. What is the result, for example, when a congressman is faced with conflict between organizational subunit goals and constituent demands? The individual is placed in the uncomfortable position of having to weigh variables and select the action course that appears optimal in terms of maximizing both demands.

#### Application of Theory

An attempt has been made to apply relevant aspects of the previously cited frameworks to the specific case study, to the degree that data have been available.

The 1970 decision grew from perceptions by decision-makers, which led to adoption--within each decisional unit--of specific courses of action. However, the effects of subunit action courses were not uniform among subunits, and subunit influence was not equal in the formation of a single United States action path toward the ILO. It is posited that criteria for decision-making were founded on the interaction of (a) perceptions by decision-makers of consistent, rational and value-maximizing goals pertaining to national interest; (b) organizational goal expectations; (c) bargaining among elites; (d) dynamics of small group interaction, coalitions and other social psychological phenomena; and (e) environmental constraints.

Although the plurality of official decision-making points found in the ILO interaction process has added complexity to the analysis, one factor is common to all decisional units. This is the acceptance of the American free-enterprise labor system. As a consequence, the units tacitly recognized those elements of national interest which have been termed by George and Keohane as "irreducible" or "core" by Holsti.<sup>1</sup> These

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<sup>1</sup>George and Keohane, "The Concept of National Interest";

shared interests would generally be related to survival of the nation-state and its systemic attributes, while each unit would also hold "irreducible" interests relating to its own organizational survival requirements. The decision as to what constitutes an "irreducible" interest--either national or parochial--is determined both by perceptions of elites and organizational demands.

Within the American representation to the ILO there has been continuous recognition by the three units concerning the broader aspects of national interest. However, within this broad framework there has been room for seemingly "irreducible" unit differences to arise. A State Department desire to seek accommodation with the Soviet Union would run counter to perceptions of labor's "irreducible" interests in the ILO arena by AFL-CIO decision-makers. In this manner it would also be possible for American special interest group goal expectations to conflict with perceptions by government participants of their "irreducible" unit interests.

#### Unit Differences

It has been suggested that within American decisional points, program and policy were formulated through an interactive process including individual and small group goal expectations and organizational needs. These in turn have been influenced by variables including environment (domestic and international), action by other member states and influence of the organization itself.

Yet the influence of each variable was not uniform or constant between each American decisional point and over time. It was modified by expectations of each unit's decision-makers, bargaining positions and organizational needs. Additionally, the relative importance of the same variable was able to change as the decision-making sequence progressed. For example, the importance of bargaining among elites was likely to be greater in a decentralized executive branch system in which power was spread among numerous players, than in a special interest group such as the AFL-CIO, where such power that the labor federation held was extremely centralized.

Accordingly,  $O + E = D$

where  $O$  = organizational goals,  $E$  = goals of elites (individual and small group), and  $D$  = decision. However, as previously

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and K.J. Holsti, International Politics: a Framework for Analysis (London: Prentice-Hall International, 1974).

noted, the values of the variables were not constant (a) between units or (b) temporally, within units. Although the weight assigned to each variable by a coefficient will change, the combined score should continue to equal D.

For example, by weighting each variable by a coefficient--on a one to ten scale--it would become apparent that the value of components forming organizational choice or choices by elites would fluctuate. Utilizing the origins of the 1970 decision as an example, it could be posited that within the executive branch decisions resulted more from organizational factors such as subunit interaction, hierarchical communication process, organizational coalitions, uncertainty avoidance and a problem-oriented search leading to selection of action. Applying the same variables to a more centralized decision-making process, such as that of the special interest groups, would yield lower coefficients. In the case of the executive agency interaction, the organizational decision-making process could be arbitrarily given a coefficient of 7 and decision-making by elites a coefficient of 3. The equation would read:

$$O(OA+OR+OO) + E = D = 7 + 3 = 10 \text{ where}$$

- OA = organizational action (process and level of organizational action).  
OR = organizational routines (for implementation of decision-making. Here ILO participatory mechanism is not necessarily equal to decisional mechanism regarding crisis response--i.e., the organizational routines for ILO participation are not necessarily the organizational routines utilized in response to the withholding of funds decisional process).  
OO = organizational output (previous organizational constraints that regulate current decisions).

The sum of OA + OR + OO = O = organizational process.

#### Political Bargaining

Bureaucratic politics, utilizing the concept of political bargaining among elites, has become a powerful explanatory mechanism. This framework has proved invaluable for the analysis of executive branch interaction in the ILO participatory process. However, it would be imprudent to assume that the framework would apply equally well to the different structuring of elites found in special interest groups or congressional interaction.

Within the executive branch sector and congressional sector the organizational structure has been conducive to the formation of a bargaining mechanism for elites. This has been observed in ILO interaction described in preceding chapters.



However, the organizational structure of the AFL-CIO and the Chamber of Commerce is markedly different from that of executive branch bureaucracies. During the crisis period both special interest groups were headed by individuals who possessed a much greater degree of centralized authority than did any single government official. A principal difference between performance of elites in the labor federation and in the government can be observed in the degree of interest and direct participation by the executive head during the crisis. George Meany, according to transcripts of congressional hearings, played a leading role in events which led to the withholding of American funds to the ILO. Arch Booth, the executive vice-president and de facto chief executive of the Chamber of Commerce did not directly participate in events, but was represented by the Employer delegate to the ILO. Although participatory levels differed, the centrally organized decision-making structure remained common to both special interest groups during the crisis period.

Certainly both the House of Representatives and the Senate have frequently served as fora in which bargaining among elites has occurred. However, bargaining requires competing interests. In the case of the ILO interaction--both in the House and Senate--there has traditionally been a low level of interest in the ILO, competing or otherwise. This led to a situation during the crisis period whereby decisions concerning ILO funding were largely limited to the subcommittees having jurisdiction. In 1970, 1971 and 1972 when the issue came before the floor, the votes--both House and Senate--reflected a willingness to accept the subcommittee position.

Testimony from key hearings, especially the Rooney subcommittee supplemental hearings, would suggest a willingness for subcommittee members to go along with the desires of the subcommittee chairman. Since the "markup" of the report was held in closed session it was not possible to determine to what extent there was conflict among subcommittee members in reaching a unified subcommittee position. However, statements by subcommittee members in open hearings chaired by Rooney indicated that consensus was probably reached without conflict.<sup>2</sup> One subcommittee staff member observed that alignment in the subcommittee was rarely along partisan lines.<sup>3</sup> A more pointed reflection suggests that alignment rarely deviated from the subcommittee chairman's position.<sup>4</sup>

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<sup>2</sup>Rooney Hearings, pages 60-62.

<sup>3</sup>Subcommittee staff member, interviewed in Washington, D.C., May 1977.

<sup>4</sup>Ralph Nader Congress Project, John J. Rooney, page 8.

Within the Senate appropriations subcommittee, willingness to accede to the House position declined as the broader issue of American violation of international law became joined to the question of continued withholding of assessed funds, and, perhaps more significantly, as Meany's desires became less clear.

It is possible to find symptoms of the "groupthink" phenomena, such as a high degree of group cohesiveness and limited examination of policy options, in the congressional decision-making process. However, it is uncertain whether the symptoms are a result of a dysfunctional decision-making process or a necessary ingredient in the decentralized congressional decision-making system. Fenno's investigation of the House and Senate appropriations process suggests that the method of decision-making observed in the Rooney subcommittee regarding the ILO crisis may be common to other subcommittees; however, further research is necessary in this area.

#### Congressional Actors: John J. Rooney

In addition to its substantive and organizational attributes, the participatory process has provided an arena in which elites have interacted. Within the parameters of the congressional system what Allison has described as the "resultants"--the coalescence of conflict and accommodation among elites in the ILO financial crisis--can be observed.<sup>5</sup> For example, John J. Rooney, chairman of the House subcommittee with appropriations jurisdiction over the State Department, was capable of exerting great influence. His power base was found both in the congressional seniority system which had provided him with his position, and with the committee system, which had granted such autonomous powers to committees and subcommittees.

With the exception of the Republican Congress of 1953 and 1954, Rooney chaired his subcommittee continuously from 1949 until 1975. By the time of the 1970 ILO crisis he had attained the number four seniority ranking in the House of Representatives.<sup>6</sup> Congressman Rooney received strong support from organized labor during election campaigns. In addition to contributions from maritime unions, Rooney received financial backing from the AFL-CIO's Committee on Political Education (COPE) and several non-maritime unions. Union financial support for his 1968 and 1970 campaigns was slightly under 20 per cent.<sup>7</sup> Manpower provided by the unions was

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<sup>5</sup> Allison, Essence of Decision, page 162.

<sup>6</sup> Ralph Nader Congress Project, John J. Rooney, 92nd Congress, vol. VI, 1972, page 7.

<sup>7</sup> Ibid., pages 2-6.

also an important factor in his reelection.<sup>8</sup> COPE tabulated that Rooney supported organized labor on 101 votes out of a possible 101 votes. From 1969 to 1970 the Chamber of Commerce estimated that on ten sample issues Rooney voted favorably on four and unfavorably on six.<sup>9</sup>

Yet for all Congressman Rooney's power and influence, he functioned as an independent variable only within limited boundaries. Rooney was dependent upon constituent support, especially trade-union support for his continued reelection.<sup>9</sup> It was ironic that Congressman Rooney, who throughout his career in Congress, repeatedly questioned both the merits of the United Nations system and the effectiveness of American participation, should possess such disproportionate influence over the appropriations process for these organizations. His attitude is crystallized in the following statement:

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<sup>8</sup> Ibid., page 13.

<sup>9</sup> In reference to the financial crisis that resulted from the Rooney subcommittee's decision to withhold funds, labor writer John Herling has observed:

For two years now he [Rooney] has continued to block the funds which we, as a nation are legally bound to pay to the International Labor Organization, an agency of the United Nations. This week, he's been holding hearings to determine whether this government should pay its obligatory debts--now amounting to about \$20 million--for membership in the tripartite organization, made up of government, employers, and labor representatives.

For about a year and a half, the State Department has been saying "Pay"; the U.S. Chamber of Commerce says "Pay"; and the AFL-CIO, somewhat sotto voce, says "Pay." But Mr. Rooney continued his absolute veto. He has not yet been convinced that the International Labor Office, headed by Director General Wilfred Jenks, has abandoned what he regards as an anti-U.S. policy. If we wait longer to pay this nation's dues to the ILO, the U.S. will be ineligible to participate in ILO decisions. We will not be in good standing.

For more years than it is comfortable to remember, Mr. Rooney has been an embarrassment to men and women in government who struggle to achieve a higher level of understanding with governments and peoples of other nations. But armed with seniority, Mr. Rooney's narrow version of world affairs, conditioned by precinct politics in his Brooklyn district, has enabled him to indulge in sadistic exercises. They are directed at

Mr. Rooney: Why didn't you succeed? You don't succeed in any area in any of the UN organizations. Mr. DePalma: I hope to show you that we have saved some \$4 million in contributions. Mr. Rooney: Don't tell me about the outcome of the fight when I see how utterly ineffective your organization, the Bureau of International Organization Affairs, is when it comes to protecting the American taxpayer. That is the reason I suggested the approach to ILO, to shut off their water, meaning their money, for two years, just as the Russians do, and not leave the organization at all. Just leave them without money. Let them find out that we have some say in this. We contribute the most money.

But you don't seem to agree with that, do you, Mr. DePalma?<sup>10</sup>

### Organizational Responsibilities of Elites

Although there were some similarities between the views held by George Meany and John J. Rooney, their organizational responsibilities also appeared to influence the pattern of their criticism of the United Nations system. For example, as an appropriations subcommittee chairman, Rooney was concerned with maximizing the amount of benefits accrued for each dollar spent.

The difficulty with Congressman Rooney's approach was found in measurement of perceived success. According to interview data from congressional staff and from committee and subcommittee testimony, Rooney's policy forming process would appear to have been highly subjective, but with some inputs from the frameworks described in chapter two.

Congressman Rooney subjectively regarded the United Nations system, including the ILO, as an arena in which the United States, working through an inept State Department, was being taken advantage of and ridiculed by the Soviet Union. But the ultimate irony, according to the Rooney perception, was that the United States, as the largest contri-

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anybody who doesn't kowtow to him, or whom he suspects of being able to read without moving lips. "Stripped-pants babies," he calls them. "Who's Rooney Now?" John Herling's Labor Letter, March 18, 1972.

<sup>10</sup> U.S., Congress, House, Committee on Appropriations, Subcommittee on Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, Hearings, Appropriations for 1972, (1971), page 241.



butor, was providing the funds so that this process could continue.<sup>11</sup> Specifically, Rooney's perceptions reflected the belief that (a) the Soviet Union was frequently in arrears in payment of assessed dues within the UN system; (b) that the Soviet Union was utilizing the ILO as a forum to extract political gains from the United States; (c) that Communist states were frequently receiving more in program benefits than they were contributing; (d) that the ILO was not exhibiting financial responsibility in its program planning or program evaluation; (e) that the director general of the ILO had assumed dictatorial powers and was using his powers to favor the Soviet Union; and (f) the State Department was unable to effectively balance Soviet gains or to make significant contribution to the ILO's program development or assessment.<sup>12</sup>

Here the analyst might pose two questions: (a) how did Rooney formulate policy objectives; and (b) how did Rooney select a course of action, i.e., the strategy of withholding funds from the ILO?

The congressional process is such that had Rooney wanted to take severe action against the ILO his hands would have been tied unless he could enlist the support of organized labor, and to a lesser degree, management. The perceptions listed above were, except for his dispute with Jenks, reflections of long-standing grievances. Rooney stated on several occasions that he was not seeking American withdrawal from the ILO.<sup>13</sup> Rather it would appear that Rooney had been searching for a mechanism, a path of action, that would enable him to reform the organization and possibly reform American government interaction with the ILO so that the United States would be--in his view--benefiting from the dollars spent on participation.

#### Selection of Objectives

It would appear that Congressman Rooney's objectives were defined according to criteria that he believed would

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<sup>11</sup>U.S., Congress, House, Committee on Appropriations, Subcommittee on the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, Appropriations for 1972, Part 2, Department of State, 1971, pages 702-703.

<sup>12</sup>For points a, b, d and f see U.S., Congress, Committee on International Relations, 94th Congress, 1st session, Hearings on Proposed Legislation to Amend the Foreign Assistance Act of 1961, and for Other Purposes, "Statement of George Meany," July 1975, pages 421-445. For point c, see Congressional Record, House, June 24, 1971, H5852. For point e see Rooney Hearings, page 79.

<sup>13</sup>Congressional Record, House, June 24, 1971, H5853.

enable the problems to be resolved. In this instance the solution appeared to be found in the increase of American power in the ILO vis-a-vis the Soviet Union and other member states. As a corollary he would also seek to reorient the American participatory process, especially the executive branch input.

This study has not attempted to provide a detailed psycho-historical analysis of the motivating factors influencing Rooney's selection of objectives. According to both interview data and congressional hearings it appears, however, that Congressman Rooney's objectives toward the United Nations, and specifically toward the ILO, were greatly influenced by his normative views concerning what should be the American role. External events such as the Astapenko appointment served to focus on, and accentuate, what he perceived to be the failure of American participation in a hostile environment. '

The selection of objectives can also be viewed in the organizational context. For example, Rooney's preoccupation with financial aspects of accountability and his preservation of subcommittee jurisdiction were incorporated into his objective of reorienting American government participation. Additionally, environmental considerations such as an antagonistic cold war view of the Soviet role in the United Nations system may have contributed to the formation of objectives. Congressman Rooney's consideration of political rather than program issues in perception of the problems in the United Nations system may have been partially an extension of the political attributes which are fundamental to the congressional structure.

#### Selection of a Path of Action

Determination of how Congressman Rooney selected a course of action requires consideration of elements from additional decision-making paradigms. There is insufficient data to establish whether Rooney had pre-planned an action course and was waiting for the right events to come along, or whether this experienced politician intuitively sensed the Astapenko appointment would provide him with the right leverage so that he could, in an ad hoc manner, attempt to fulfill a number of objectives, which may or may not have been clearly articulated.

Given the congressional system as a whole, and the July 31, 1970 testimony before the Rooney subcommittee, the latter choice is probably a more accurate reflection of his decisional process. He seized the issue and rode with it as long as he perceived he was fulfilling his objectives.

However, the choice was not solely Rooney's. Without a forceful issue and support from special interest groups, other constituents and/or his congressional colleagues, Rooney would have had difficulty convincing the House of the merits of illegally suspending ILO appropriations. His difficulty would have increased significantly in the Senate, where his influence was much more limited and where several influential senators would have been likely to oppose the move.<sup>14</sup>

Rooney therefore needed a reason to initiate his action course, and support for the proposed action. Jenks provided the issue, not only in the appointment itself, but also in the manner in which the appointment was made. Response by George Meany, and to a lesser degree, by management and by a number of likeminded congressmen and senators provided the support.

The marshaling of support for the action path would appear to typify one kind of flow in the bureaucratic politics process. Elites, both governmental and non-governmental, found common cause in the mutually perceived benefits of following this selected path. Naturally not all elites were in agreement, but the Rooney-Meany combination proved sufficiently powerful to motivate both the House and the Senate to withhold legally assessed funds.

When the decision to select a course of action is assessed from the position of organized labor, it becomes increasingly difficult to determine who initiated the action. Was it Meany's decision or was it Rooney's? At the technical level the decision to withhold funds was made by the House and Senate, with Senator John L. McClellan (D. Arkansas) acting on a recommendation from Rooney's subcommittee to overturn its earlier recommendation to continue funding. But it has been shown, and it will be demonstrated in further detail, that this text-book explanation of the congressional mechanism is far from comprehensive.

#### The Trade-Union Input

Although special interest groups and elites hold no official position in the congressional decision-making structure, their role has been of substantial importance. The election process, especially in the House, with its two-year terms, enhances the member response to special interest groups which may provide a key to future election or defeat.

George Meany has been described as one of the most in-

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<sup>14</sup>For example, Senators Humphrey and Javits were strong supporters of the ILO.

fluent individuals in the United States.<sup>15</sup> As head of the nation's largest trade-union federation, with approximately 15 million members, George Meany has been frequently viewed as either directly or indirectly representing the aspirations of American workers. The federation has become a substantial force in American politics since the days when Samuel Gompers sought to reward labor's friends in politics. COPE, which functions both at the national and state level, organizes union members for political action and supports candidates perceived as being favorable to the labor movement. Additionally, the AFL-CIO's lobby, through its Department of Legislation, under the direction of Andrew J. Biemiller, made its special interest group objectives felt in areas of legislation.<sup>16</sup>

George Meany's attitudes toward the United Nations system were shaped by two factors which have often, and perhaps mistakenly, been viewed as synonymous: (a) trade-union organizational and structural interests; and (b) trade-union foreign policy perceptions. Additionally, George Meany's continued personal involvement in organized labor's foreign policy must be regarded as a third significant variable.

While perceptions of foreign policy objectives by trade-union elites may not be dysfunctional in terms of organizational or structural interests of trade unions, their goals may be broader than the actual scope of trade-union activity. Another way of viewing this is by comparing the organizational and structural requirements of AFL-CIO performance and the stated foreign policy perceptions by AFL-CIO elites. Perceptions by elites may not conflict with AFL-CIO organizational and structural needs, but a conflict may develop between either these requirements or perceptions of trade-union elites and positions developed by other American units. Transnationally, a similar possibility for conflict exists.

Although the above may appear rather abstract, it would seem that much of the interunit American conflict is based on perception by both trade-union and employer elites that strict observance of tripartism was a necessary ingredient for the participation of American-styled trade unions and employers' organizations. American trade-unionists, for example, repeatedly refused to work with, or recognize the legitimacy of, Communist trade-unionists at the ILO. On the structural and organizational level conflict exists, not because the trade-unionists are Communists, but because the

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<sup>15</sup>See, for example, John Carry, "The Many-Sided Mr. Meany," Harper's Magazine, vol. 240, no. 1433 (March 1970), page 52.

<sup>16</sup>Goulden, Meany, page 213.



Communist trade unions are perceived to represent an unacceptable variant of trade unionism, domestically similar to the concept of company unions.

Additionally, the American trade-union leadership has rejected cooperation with Communist trade-unionists on ideological grounds that go beyond the organizational and structural requirements of American trade-union survival and growth. In this situation, cooperation with Communist trade-unionists in the ILO is rejected both on grounds of ideological perceptions of American trade-union elites and on organizational and structural grounds. In this instance the two aspects are joined. However, this view may not be shared by other units--domestic or transnational--who perceive an advantage in cooperation with the Communist trade-unionists in the ILO arena.

#### AFL-CIO Objectives Within the ILO

Although there was a high degree of sharing of objectives among units, not all were shared, nor were they necessarily given equal weighting. To interpret formation of objectives by the AFL-CIO within the ILO it is necessary to understand that one issue dominated all other considerations for the federation for sixteen years preceding the 1970 financial crisis. That issue was the participation of the Soviet Union and its allies. In April 1954 the Executive Council of the AFL, commenting on the re-admission of the Soviet Union, stated:

This development brought a prompt reaction on the part of certain of the member nations of the ILO, leading to the initiation of charges against the alleged worker and employer delegates from the USSR, charging that these delegates did not represent bona fide workers' organizations or employers' organizations. . . and in no way met the spirit of the tripartite structure of the ILO.<sup>17</sup>

According to the AFL-CIO view, the ILO was created "as a brain child of Samuel Gompers."<sup>18</sup> Furthermore, according to American labor, the entire basis of the ILO was the tripartite system.<sup>19</sup> George Meany has said:

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<sup>17</sup>U.S., Congress, House, Committee on International Relations, 94th Congress, 1st session, On Proposed Legislation to Amend the Foreign Assistance Act of 1961, for for Other Purposes. Statement of George Meany, July 23, 1975, page 422.

<sup>18</sup>Ibid., page 428.

<sup>19</sup>Rooney Hearings, page 3.

The ILO recognized the necessity for bringing into its structure the independent thinking of labor unions to the point where member countries could not designate a labor representative unless that labor representative was suggested and approved by the major labor organization in that country.<sup>20</sup>

The AFL-CIO considered that the Soviet Union, lacking independent workers' and employers' organizations, could not possibly adapt to the tripartite system. But beyond this, George Meany has testified,

They [the Soviet Union] have a special membership. They operate under a double standard, and this has been more or less accepted by the Office of the ILO over the years. They accept officially, without question, the decisions of the ILO but promptly, once a decision is made, they proceed to ignore it. In other words, they have voted for the freedom of association at the convention of the ILO and they deny freedom of association.<sup>21</sup>

Both Congressman Rooney and George Meany shared concern over Soviet participation in the ILO, but the focus of concern differed slightly and appeared to reflect their respective organizational needs. Rooney's objectives were a partial reflection of the congressional appropriations role. George Meany and the American trade-unionists and employers viewed Soviet participation in the context of the threat it posed to the continuation of tripartism. By its very nature the Soviet unitary model, followed in the 1960s by the introduction of unitary models of representation from developing countries, threatened the existence of the special interest representation more than government representation.

The general objectives of the AFL-CIO's foreign policy have been cited in chapter five. It has been suggested that both the federation's structure and historical trends within organized labor have contributed to George Meany's dominant decisional role in labor foreign affairs. The policies espoused by George Meany came to be accepted by the vast majority of AFL-CIO elites. With few exceptions, such as Walter Reuther's opposition, the federation's foreign policy objectives have remained remarkably cohesive.

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<sup>20</sup> Ibid., page 5.

<sup>21</sup> Ibid., pages 3-4.

Although their respective organizations differ significantly in structure, it is no coincidence that George Meany and John J. Rooney shared many perceptions concerning objectives within the ILO and action necessary to attain these objectives. The two individuals were linked at a number of levels. First, their organizations recognized and supported the American labor system, and sought to provide for its continued well-being, both domestically and abroad. Secondly, Congressman Rooney depended on the support of organized labor for continued re-election. But most significantly, both Meany and Rooney appeared to perceive mutual advantages in working together to pursue common interests in the United Nations system.

The objectives formulated by American labor reflected a more detailed understanding of program and political issues within the ILO than those formulated by Congressman Rooney. George Meany had attended his first ILO Governing Body meeting in 1936 as a substitute for AFL President William Green. Meany has estimated that since 1940 he attended at least two out of every three ILO annual conferences.<sup>22</sup>

By 1970 Meany's position was that the Astapenko appointment represented "the last straw."<sup>23</sup> According to the AFL-CIO view, the issue was joined to that of Soviet use of the ILO as a propaganda forum, the Soviet "double-standard," and legitimacy of Soviet participation in a tripartite organization. The purpose of the supplemental hearings before the Rooney subcommittee was, according to George Meany, not solely to respond to the Astapenko appointment, but to "take a good look at the whole ILO question. . ."<sup>24</sup>

#### Complex Labor Role Definition

With Soviet reentry in 1954 the American trade-unionist perception of an increasingly complex role definition within the ILO was formalized. Since the ILO agreed to status as a specialized agency within the post-war United Nations system, it had become a secondary arena for the developing East-West conflict. With Soviet membership came increasing polarization and preoccupation with the politics of the cold war, often at the expense of ILO programs.

However, even prior to 1954, the ILO had been drawn into cold war politics. For example, in 1947 the Soviet-

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<sup>22</sup>Ibid., page 59.

<sup>23</sup>Ibid.

<sup>24</sup>Ibid., page 60.

supported World Federation of Trade Unions (WFTU) attempted to have the question of guarantees of trade-union rights put on the ECOSOC agenda and removed from the competence of the tripartite ILO, where the Soviet Union was not represented.<sup>25</sup> The AFL responded by pointing out that the United Nations had already recognized the ILO's competence in this area and that the ECOSOC should channel this question through the ILO machinery.<sup>26</sup> Also in 1947, despite Soviet and WFTU attempts to denigrate the plan, the ILO came out in support of the Marshall Plan.<sup>27</sup>

The ill-fated ILO plan to provide for post-war ILO migration, the first large-scale technical cooperation project under the newly-elected Director General David A. Morse, could also be considered an early victim of the ideological struggle between the United States and the Soviet Union.<sup>28</sup>

Once the Soviet Union was readmitted to the organization, American labor adopted a more restrained position than that of American management. The American trade-unionists adopted a more tolerant attitude than their management counterparts toward the conclusions of the McNair Report which have given legitimacy to Soviet participation in the ILO.<sup>29</sup>

#### Labor Standards

American labor has been most vocal in its support for labor standards, especially those concerning freedom of association, freedom from forced labor, and other Conventions and Recommendations dealing with basic human rights. It is on such issues that American labor's campaign against the

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<sup>25</sup> ILO, XXX International Labor Conference, 1947, Report No. 7, Freedom of Association and Industrial Relations, pages 136-9.

<sup>26</sup> Ibid., pages 139-43.

<sup>27</sup> Alcock, History of the International Labor Organization, pages 209-11.

<sup>28</sup> According to Alcock, the United States feared that a migration program operating through an organization outside of its direct control might enable Communists to infiltrate with refugees into the American continent, and consequently torpedoed the plan. Worker delegate George Delaney was highly critical of his government's opposition, History of the International Labor Organization, pages 233-34.

<sup>29</sup> See, for example, "George Meany Flays McGrath," American Federationist, July 1955, page 7; or George P. Delaney, "International Labor Conference of 1954," American Federationist, July 1954, pages 21-27.



Soviet Union became joined to other cold war issues within the ILO. However, it should be noted that the AFL-CIO has not only sought to condemn the Soviet Union for violations, but has also sought to have sanctions brought against non-Communist violators as well.<sup>30</sup> In 1975 AFL-CIO Secretary-Treasurer Lane Kirkland stated:

In fact, there has been a continuous effort, since the admission of the Soviet Union to the ILO in 1954, to destroy the tripartite nature of the organization by rendering the "heart of the ILO," its Committee on the Application of Conventions and Recommendations and its highly respected Committee of Experts, ineffective.<sup>31</sup>

It may appear ironic in view of George Meany's 1970 statement "that the office in Geneva is, and has been for some time, in the Russians' corner,"<sup>32</sup> but Kirkland has cited a Jenks statement on the ILO's reputation for due process as bringing "the Soviet's onslaught against it into clear focus."<sup>33</sup> Five ILO Conventions have been at the center of the AFL-CIO's concern for human rights legislation in the ILO. These are Convention number 29, Forced Labor (1930); Convention number 87, Freedom of Association and Protection of the Right to Organize (1948); Convention number 98, Right to Organize and Collective Bargaining (1949); Convention number 111, Discrimination (Employment and Occupation) (1958); and Convention number 105, Abolition of Forced Labor (1957).<sup>34</sup>

According to George Meany there are two reasons why the application of these Conventions has not been more forceful. First, he has said, "the UN and the ILO have deliberately chosen to confuse lip-service commitment with effective implementation," and secondly, he has cited what American labor perceives to be a double standard. Accordingly, Meany has testified,

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<sup>30</sup> See, for example, ILO, International Labor Conference, Record of Proceedings, 1966.

<sup>31</sup> Lane Kirkland, "The Future of the ILO," AFL-CIO Free Trade Union News, vol. 30, no. 10, October 1975, page 1.

<sup>32</sup> Rooney Hearings, page 75.

<sup>33</sup> Kirkland, "The Future of the ILO," page 1.

<sup>34</sup> U.S., Congress, House, Committee on Foreign Affairs, Subcommittee on International Organizations and Movements, 93rd Congress, 1st session, 1973, International Protection of Human Rights: the Work of International Organizations and the Role of U.S. Foreign Policy, "Implementation of Human Rights by the International Labor Organization," submitted by the AFL-CIO, page 562.

Thus, there has been a double standard under which even minor violations of human rights in democratic countries are highlighted and the more general denial of human rights in non-Communist totalitarian and racist countries is vigorously condemned, but not even the most outrageous denials of freedom and human rights by the rulers of the Communist countries are so much as even mentioned.<sup>35</sup>

#### Labor Action Path

A reading of the Rooney Hearings of July 31, 1970 yields the impression that the decision to push for a withholding of funds was arrived at spontaneously. The decision appears to have evolved from a statement by George Meany questioning the usefulness of remaining in the ILO if the Soviet Union were to continue to receive what he considered to be preferential treatment.<sup>36</sup> To this Congressman Rooney replied, "Well, let's show him [Jenks]. The regular bill is still over in the other body. . . I think if we go over there we can perhaps achieve some success. . ." <sup>37</sup> Then other sub-committee members voiced support for the position Meany wished to see develop. For example, the second ranking Democrat, John M. Slack of West Virginia stated:

This performance by the Soviets is another attempt by them to undermine our way of life and to shackle the free world. I am ready to take the necessary steps to bring this action to an immediate halt.<sup>38</sup>

The second ranking Republican, Elford A. Cederberg of Michigan added:

I think it has been very important that Mr. Meany come here and bring this to our attention. . . I would be open to any suggestions that Mr. Meany might have as to any action that he thinks we ought to take.<sup>39</sup>

Republican Mark Andrews from North Dakota replied to George Meany, stating:

From the comments around this table in response to the strong statement and the facts

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<sup>35</sup> Ibid., page 563.

<sup>36</sup> Rooney Hearings, page 59.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid., page 61.

<sup>39</sup> Ibid., page 64.

that you brought to us I think that not only ILO, but everyone else who is interested in this matter, can see that we are 100 percent behind you in whatever action you think we should take to clean up this situation.<sup>40</sup>

### Reaching the Decision

The alacrity with which Congressman Andrews appeared willing to divest himself of his congressional decision-making responsibility in favor of the labor representative is of interest, but given the subcommittee power structure, it is of minor importance. Also it would not be completely accurate to view the decision to withhold funds as a fully spontaneous event. This is not necessarily to suggest that a decision to select a particular action path was reached between Meany and key subcommittee members prior to the hearings--although this may have occurred--but that there was an evolutionary trend, especially within the American Worker unit, toward escalation in their display of displeasure concerning Soviet influence.

For example, in 1966, as previously cited, the American Worker unit boycotted the ILO Annual Conference when the Polish government delegate Leon Chajn was elected president. According to a June 16, 1966 report to the AFL-CIO Executive Council by the American Worker delegate, Rudolph Faupl, on April 8, 1965, more than a year before the walkout, he had spoken to the Council about what he perceived to be the deterioration of the ILO's tripartite structure and increasing Communist pressure within the ILO.

Apparently at the time there was serious discussion among Executive Council members as to whether a labor delegate should be sent to the ILO. This was followed by an April 26 meeting among Meany, Faupl and Secretary of State Dean Rusk, among others, at which time Meany raised the issues of deterioration of the tripartite structure within the ILO and the lack of consultation within the delegation by the American government representatives.

By late 1965 it was learned that the candidacy of Leon Chajn was being promoted by the socialist states. The Chajn candidacy was discussed by the American participants to the ILO: Richard Wagner, American Employer delegate, George Weaver, Deputy Under Secretary of Labor for International Labor Affairs, George P. Delaney, Special Assistant to the Secretary of State and Coordinator of International Labor Affairs, and Faupl.

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<sup>40</sup>Ibid., page 63.

The participants were unanimous in their opposition to the Chajm election, fearing in particular that the Communists would use the presidency of the annual conference as a leverage to increase strength on the Governing Body.

Faupl reported that largely through the efforts of the American government, the Dutch minister of social affairs and public health, M.J. Veldkamp, became a candidate. At the transnational level, the American workers sought to encourage the ICFTU to support Veldkamp. Subsequently the ICFTU Worker's Group on the ILO Governing Body unanimously supported the ICFTU endorsement of the minister from the Netherlands.

The American delegation met on May 30 to review the Conference developments. According to Faupl, the government representatives reported that the Veldkamp election appeared to be assured and therefore the U.S. delegation could adopt a low profile. The government assessment proved erroneous because a last-minute decision by African states to support the Chajm candidacy led to his election.

It was following the election that Faupl contacted Meany and advised him of his decision to withdraw from the Conference.<sup>41</sup>

As a means of affecting change within the organization, the boycott proved ineffective. A more effective means for influencing desired policy outside of the formal ILO process came in the form of interaction which developed between David A. Morse and George Meany. Morse spent several months each year in the United States consulting with American participants. While Morse and Meany were frequently at odds over policy, Meany apparently assumed that an informal understanding existed whereby Morse would not undertake policy revisions without consultation in areas considered by Meany to be of the highest importance for continued participation of American labor.<sup>42</sup> The decision by Morse's successor to appoint a Soviet national to a high-level position within the ILO demonstrated to Meany that the informal agreement had been abrogated.

When Meany learned of the pending appointment he sought a course of action that would encourage Jenks not to follow through with the appointment. To this end he turned to the

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<sup>41</sup>See Rudolph Faupl, "Report to George Meany, President, and Members of the Executive Council, AFL-CIO."

<sup>42</sup>David A. Morse, New York, March 1978.



Rooney subcommittee, knowing that it was the source of appropriations for ILO funding. It is plausible that Meany and Rooney may have discussed the problem before the subcommittee was called into session, and formulated an action plan, but it has not been possible to obtain data about this aspect of the process.

### Supplemental Hearings

To a limited degree the amount of policy analysis and examination of options leading to the decision to withhold funds can be observed in the following dialogue. In response to a question by Representative Andrews concerning the advisability of serving notice of an American cutoff of funds, Meany replied,

I think that is a decision which will have to be made a little farther down the road. The mere fact you are holding this meeting is, I think, very, very important. I am sure this will not be lost on the people who are in the office of the ILO.<sup>43</sup>

If Meany had perceived that the holding of the supplemental hearings would be sufficient to encourage Jenks to change his mind, then the statement by DePalma that Jenks was aware of the hearings and was continuing with the appointment, may have caused Meany to reassess his strategy.<sup>44</sup> Meany was evidently surprised. He said, "You mean to say that even though he [Jenks] is aware of our strong feelings on this, that he is going to go right ahead anyway?"<sup>45</sup> Later, in response to a suggestion by George Hildebrand that Congress add a provision that funds be withheld if, in the opinion of the State Department, it is desirable, George Meany responded:

George, the mere fact that we are upset has been conveyed to Mr. Jenks by the Ambassador. He surely knows of this meeting. He has not recognized this as any indication of good bargaining power on our part.<sup>46</sup>

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<sup>43</sup>Rooney Hearings, page 63.

<sup>44</sup>Ibid., page 76.

<sup>45</sup>Ibid., page 69.

<sup>46</sup>Ibid., page 76.

When Congressman Rooney stated, "...I am going to ...ask Mr. DePalma to telephone to Ambassador Rimestad and tell him to hotfoot it over to Mr. Jenks and tell him before nightfall that there will be no money for ILO as far as this subcommittee is concerned. . .," Meany offered no objection, stating, "...this Congress has the decision in its lap."<sup>47</sup>

However, even toward the conclusions of the hearings, it was George Meany's opinion that the threat of withholding of funds would force Jenks to rescind the appointment. Regarding the appointment, Meany said, "If Mr. Jenks made it, Mr. Jenks can change it."<sup>48</sup>

According to testimony in the supplemental hearings there would appear to be a strong consensual bond between the initial action paths selected by George Meany and John J. Rooney. However, it remains to be seen whether these action paths continued to be joined over time. This question will be examined in the following subsections.

#### Political Interaction

While American trade-unionists have asserted the need for tripartism in a depoliticized ILO environment, George Meany has acknowledged the propriety of "political" interaction in other fora. He has said,

We expect the United Nations to be used as a political propaganda sounding board for anyone who wants to use it. It is that sort of an organization. It is political in nature  
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Meany may have been slightly more tolerant of other international fora because labor was not directly represented, but nevertheless, the AFL-CIO has been critical of UNDP and UNESCO, as well as the American government role in these organizations.<sup>50</sup> In this respect George Meany's attitude was similar to that of Congressman Rooney who, over the years as subcommittee chairman, was highly critical of the State Department for what he perceived to be ineffectiveness in interaction with the international organizations. The following inter-

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<sup>47</sup>Ibid., page 76.

<sup>48</sup>Ibid., page 63.

<sup>49</sup>Ibid., page 77.

<sup>50</sup>U.S., Congress, Committee on International Relations, 94th Congress, 1st session, Hearings on Proposed Legisla-

change will give the flavor of Congressman Rooney's attitude:

Mr. Rooney: You see, Mr. Hildebrand, that is where we get with this whole business. It is just one defeat after another and the result is that they come up here year after year with increases; \$20 million is the requested increase this year. These assessments go up and up and in the interim the Russians make damn fools of us. . .

Mr. DePalma: The problem is not Mr. Jenks as such. The problem is to get the votes in the organization among other members, other governments--

Mr. Rooney: You don't have the votes, it seems.

Mr. DePalma: We haven't but now we have evidence--

Mr. Rooney: You practically say you will lose the vote on the admission of Red Communist China.

Mr. DePalma: We have not lost it.

Mr. Rooney: You have not lost it, but you say you will lose it. That has been said here.

Mr. DePalma: If we lose it, it would be only despite every effort we can make. We are making the effort in the ILO. The question is, "How can we get support for the things we want to change in the ILO if through our action--

Mr. Rooney: How can you get the support anywhere if you cannot do something about the Soviet Union when they refuse to pay their legitimate dues?

Mr. DePalma: I would say we have made our point.

Mr. Rooney: You do not have the votes for that, do you?

Mr. DePalma: We have not had them, no sir; but we have made our point in the ILO, and it is registering.

Mr. Rooney: In the meantime you are wheelbarrowing the taxpayer dollars into the UN and these other organizations to no end.

Mr. DePalma: I cannot agree that it is to no end.

Mr. Rooney: We have played with this long enough.<sup>51</sup>

The Rooney view that the United States has suffered one defeat after another in the United Nations system again raises the issues of goal formation and politicization.

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tion to Amend the Foreign Assistance Act of 1961, and for Other Purposes, "Statement of George Meany," July 1975, pages 421-445.

<sup>51</sup>U.S., Congress, House, Committee on Appropriations, Subcommittee on the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, Appropriations for 1972, Part 2, Department of State, 1971, pages 702-703.

Rooney's perceptions, cited earlier, generally were not linked to programs but to politics. Yet Rooney continually failed to recognize the political nature of his objectives. The former U.S. ambassador to Geneva, Francis Dale, replying to Senator Abraham Ribicoff, put the question of politicization in the following perspective:

Senator, we are guilty, we are guilty more than any other nation--the United States. I think we have got to get off this idea that others are politicizing. It is not so, Senator, I am sorry. The United States is politicizing most of those issues. We are the biggest political boy on the block, and we use these organizations to our political purposes just as other countries do and we must get off of this thing of pointing our fingers to the others for politicizing. We do it time and time again.<sup>52</sup>

Congressman Rooney also frequently raised the issue of Soviet refusal to pay their assessed dues. The Soviet delinquency occurred in the United Nations over peacekeeping dues, and it was the United States that sought an Advisory Opinion from the International Court of Justice. Perhaps, from the congressional point of view, Soviet failure to pay its dues in any branch of the United Nations system was an issue, but the Soviet Union was not in arrears in the International Labor Organization; the United States was.

#### Subcommittee Elites

The action by the Rooney subcommittee to institute a process which led to congressional withholding of the assessed American dues to the ILO was an unusual phenomenon--marking the first such occasion in the history of American relations with the United Nations system.

The picture of John J. Rooney as a man of narrow image in world affairs, indulging in sadistic exercises directed at those whom he suspected "of being able to read without moving lips," is not entirely accurate.<sup>53</sup> Before his election to Congress, Rooney, who received a law degree from Fordham University in 1925, served as assistant district attorney under New York District Attorney William O'Dwyer, and was credited with several important prosecution victories.<sup>54</sup> Congressman Rooney's voting record on foreign af-

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<sup>52</sup> U.S., Congress, Senate, Committee on Governmental Affairs, Symposium on the Role of the United States in Specialized International Organizations, 1977, page 61.

<sup>53</sup> Herling, "Who's Rooney Now?"

<sup>54</sup> Ralph Nader Congress Project, John J. Rooney, page 1.



fairs issues was mixed. The Americans for Democratic Action, a politically liberal organization, gave him a 49 per cent rating in 1971, and an 88 per cent cumulative rating.<sup>55</sup> He supported the export of surplus farm goods to poor countries, including ones with Communist governments, and favored funds for the Inter-American Development Bank and the Peace Corps. Rooney opposed UNDP appropriations but supported the Byrd Amendment providing for importation of Rhodesian chrome.<sup>56</sup>

If at the time of the 31 July hearings Congressman Rooney was not aware that the withholding of the American assessment to the ILO would place the United States in violation of international law, he was soon made aware of the situation.<sup>57</sup> Nevertheless, the legal aspects of the case did not dissuade him from following a course leading to the withholding, and pursuing that course for over two years despite criticism from the President, the executive agencies, congressional colleagues and members of special interest groups. It will be seen that the position of the AFL-CIO was ambiguous.

### Systemic Aspects

#### Group Perceptions: The Rooney Hearings

With the exception of the representative from the State Department, and to a degree, the Labor Department, there was no recognition voiced within the Rooney subcommittee hearings that the ILO had any legitimate role other than to reflect the norms of the American free enterprise labor system. Rooney appeared to believe that the ILO was founded by an American (Samuel Gompers), its purpose was to further American objectives, and somehow the Soviet Union had been able to gain entrance and begin subverting the organization. In testimony before the House Committee of the Whole Rooney said, "I want to point out that the ILO is not a UN organization in the full sense of the word. The ILO is an American organization . . ."<sup>58</sup>

It was in somewhat the same vein that George Meany suggested that the ILO office "is, and has been for some time, in the Russians' corner."<sup>59</sup> When DePalma suggested that the

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<sup>55</sup> Ibid., page 13.

<sup>56</sup> Ibid., page 15.

<sup>57</sup> See, for example, Congressional Record, House, June 24, 1971, H5852 ff; and House, Committee on Appropriations, Second Supplemental Appropriations Bill, 92nd Congress, 2nd session, 1972, pages 117-125.

<sup>58</sup> Congressional Record, House, June 24, 1971, H5853.

<sup>59</sup> Rooney Hearings, page 75.

United States should work with other members to reduce any secretariat bias, Meany and Neilan (the Employer delegate), replied that the United States would find no support; not even from France, Great Britain or Japan.<sup>60</sup>

The participants expressed grievances which cannot be lightly dismissed. It would be difficult to challenge the contention that tripartism in the arena declined following Soviet reentry, that there has been a "double standard," that anti-American polemics in the International Labor Conference have politicized the arena or that Astapenko was appointed without U.S. consultation. But many of the American participants failed to consider alternate causal possibilities or alternate courses of action. To blame the situation on the Soviet Union or the ILO office was deemed sufficient. It followed that since Soviet influence was seen as the cause of problems, resolution would come by diminishing Soviet influence vis-a-vis American influence. For example, subcommittee member Robert Sikes stated:

It is unfortunate but true that the United States fails in so many instances to use its power, its prestige, and its position to advance its own best interest as effectively as it might in world affairs.<sup>61</sup>

His colleague Elford Cederberg added,

I agree fully that if this matter gets out of hand we will be financing a propaganda machine which is designed to destroy what we are all for, and that is a free labor movement, free employers in cooperation with government.<sup>62</sup>

Meany described Jenks' strategy in making the Astapenko appointment in the following terms:

It is that if the ILO wants the Soviet Union to remain in membership we have got to accept them on the basis they represent themselves and the ILO has nothing to say about it. If the United States of America objects, then he [Jenks] raises the question--does the United States of America want the USSR to maintain membership. . .and if we do. . .then we must

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid., page 60.

<sup>62</sup> Ibid., page 62.

accept them in the way they want to be accepted, as a bloc. . . . You have to listen to 11 speeches denouncing the United States of America on every issue. . . . portraying us as imperialists who are trying to take over the entire world. . . . However, this proposal, or decision, to appoint a Soviet representative to the top structure of the ILO is the last straw because whatever assignment this man gets departmental-wise in the ILO he will have hundreds of employees directly under his supervision.<sup>63</sup>

#### Cohesiveness

The structure of the House Appropriations Committee process during the 1970-1972 period was such that decisions which went before the floor of the House generally reflected subcommittee unity. Within some House subcommittees agreement was reached through a compromise process reminiscent of Lindblom's incremental decision-making process. However, the form the decisional process took was largely dependent upon the subcommittee chairman, the committee chairman, and to a lesser degree, the ranking minority party member.

The roll call voting record of the Rooney subcommittee suggests subcommittee cohesiveness on its recommendations which went before the entire House, but the relationship of the decisional paradigms to the data has not been determined.<sup>64</sup> House Appropriations Committee members tended to view the substantive role of their committee and subcommittees as one of placing restraints on an ever-expanding federal budget.<sup>65</sup> The Rooney subcommittee, like other appropriations subcommittees, viewed its interaction with executive agencies in a quasi-adversary role. One subcommittee chairman contended that ten per cent could be taken off every executive agency budget without even examining the budget, because agencies padded their requests.<sup>66</sup> This attitude was widely shared by other subcommittee chairmen.<sup>67</sup>

Congressman Rooney's scrutiny of the State Department's

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<sup>63</sup> Ibid., page 58.

<sup>64</sup> See, for example, Congressional Quarterly Almanac, 92nd Congress, 1st session, 1971, vol. XXVII. On the House floor, all subcommittee members voted in favor of the bill.

<sup>65</sup> Fenno, Power of the Purse, pages 102-105.

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

budget request tended to be particularly severe.<sup>68</sup> However, it should be noted that once the subcommittee reached agreement in the markup session concerning the level of appropriations for the Department of State or another executive agency under its jurisdiction, members, led by Rooney, would be among that agency's strongest supporters on the House floor.

Fenno has observed that the Rooney subcommittee was more successful in protecting its recommendations against reductions from the floor than any other subcommittee except agriculture; and although State Department officials tended to view Rooney as their enemy, in this sense he was the best friend they could have had in the House.<sup>69</sup>

#### Subcommittee Task Perception

Although it is difficult to ascertain the degree of contribution, the perception by Rooney and other subcommittee members that a primary subcommittee task was to ensure efficient federal spending, may have been an important causal element in the withholding of assessed dues. Clearly Rooney felt that the UN system lacked the necessary safeguards to ensure that American contributions were utilized efficiently.<sup>70</sup> Throughout the 1971 and 1972 Rooney hearings there is frequent mention of funding and construction of the ILO's new \$25 million headquarters in Geneva. Rooney appeared to perceive the building as joined to the events leading to the Astapenko crisis.<sup>71</sup>

Congressman Rooney was particularly incensed that plans for construction of new ILO headquarters had not been submitted to, or approved by his subcommittee.<sup>72</sup> The building plans had been approved by the ILO's Governing Body with the accord of the U.S. delegate; however, the State Department failed to bring the building project to the attention of the Rooney subcommittee in time for the subcommittee to act on the matter.<sup>73</sup> The State Department apparently did not do so because funds would not be requested until 1974, although construction was to begin in 1969.<sup>74</sup> As DePalma

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<sup>68</sup> See, for example, House Appropriations Committee Hearings, Part 2, Department of State, 1971, page 241.

<sup>69</sup> Fenno, Power of the Purse, page 459.

<sup>70</sup> See, for example, Rooney subcommittee hearings, Part 2, Department of State, 1971, page 236 ff.

<sup>71</sup> Ibid., pages 237-38 and 688-93.

<sup>72</sup> Ibid., pages 688-89.

<sup>73</sup> Rooney subcommittee hearings, Part 2, Department of State, 1971, pages 690-91.

<sup>74</sup> Ibid., page 689.



observed, the ILO's procedure was similar to that which had been followed by other international organizations.<sup>75</sup>

Before the House of Representatives, Rooney, defending the continued withholding of the assessment, used the case of the new building to describe how "This organization has become drunk with power under an Englishman named Jenks."<sup>76</sup> He continued,

I was in Geneva in January on this very matter. I was utterly amazed to find out that there was then and there under construction a \$25 million new building for the ILO. I had never heard of this building before. The State Department has admitted in testimony. . .that neither the Senate nor the House was notified of such a project.

In reference to this and another construction project, Mr. Rooney said, "Now, this is utter fiscal irresponsibility, and we do not intend to permit it."<sup>77</sup>

The above statement is misleading. The American Government delegate to the ILO Governing Body was aware of the building project, as was the other American Government delegate to the annual conference. In fact, the U.S. Government delegate to the Governing Body voted in favor of the project. By using the passive tense and stating that "neither the Senate or the House was notified," Rooney gave the House the impression that the ILO failed to consult the United States, when in fact, if any failure in consultation occurred, the fault would have been with the executive branch for not advising the Rooney subcommittee of the pending project. Additionally, Jenks was not Director General at the time the building project was approved.

#### Small Group Traits

Both structurally and functionally the House Appropriations Committee and its Subcommittee on Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, would appear, more than any other small group participating in the ILO interaction, to possess attributes found in the Janis "groupthink" paradigm. Fenno has posited that subcommittee members in the Appropriations Committee of the House consider themselves apart from other members of Congress. They consider themselves to be members of the hard-

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<sup>75</sup>Congressional Record, House, June 24, 1971, H5853.

<sup>76</sup>Ibid.

<sup>77</sup>Ibid.

est working committee in Congress, a committee that is noted for team work, not individual performances of the sort that make a congressman well known to the general public.<sup>78</sup> This has led to strong loyalty among committee members. A minority leader has stated,

I think it's more closely knit than any other committee. . . I know on my subcommittee you sit together day after day, you get better acquainted, you have mutual sympathy for each other when the other fellows go off to play golf. There's a lot of esprit de corps in this committee.<sup>79</sup>

Appropriations Committee members interviewed by Fenno perceived their membership to represent increased power and prestige.<sup>80</sup> Members came to identify their personal goal attainment with committee survival. Satisfaction of goal expectations appears to have produced a pattern of goal consensus that transcended party and seniority lines.<sup>81</sup> However, Fenno has observed that goal consensus need not be equated with unanimity in action,<sup>82</sup> but adjustment was generally reached before a bill was submitted to the floor.

#### Faulty Decision-Making

Janis has cautioned that not all cohesive groups exhibit symptoms of groupthink;<sup>83</sup> however, a review of the 31 July 1971 Rooney subcommittee hearings would suggest that some of the defects in the decision-making process, cited by Janis, were present. He has enumerated six defects relating to selection of course of action.<sup>84</sup>

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<sup>78</sup>Fenno, Power of the Purse, page 90 ff.

<sup>79</sup>Ibid., page 93.

<sup>80</sup>Ibid., pages 82-84.

<sup>81</sup>Ibid., page 94.

<sup>82</sup>Ibid., page 95.

<sup>83</sup>Janis, Victims of Groupthink, page 13.

<sup>84</sup>The six major defects in decision-making outlined by Janis include:

1. The group's discussions are limited to a few alternative courses of action (often only two) without a survey of the full range of alternatives.
2. The group fails to reexamine the course of action initially preferred by the majority of members from the standpoint of nonobvious risks and drawbacks that had not been considered when it was originally evaluated.

Review of the testimony suggests that the subcommittee's discussion was limited to a few courses of action, and when a witness (DePalma) urged careful consideration of possible effects, his advice was not pursued.<sup>85</sup> Sufficient data are not available to determine whether additional strategy was formulated outside of the key 31 July hearings, but the decisions which appeared to be reached spontaneously during the hearings reflect Janis' first three decision-making defects.

Janis' fourth and fifth points are somewhat negated by the process followed in appropriations hearings. Subcommittee members do attempt to obtain information from experts who can--in theory--supply sound estimates concerning alternative courses of action; and selective bias is shown in subcommittee reaction to information delivered by experts. However, it should be noted that the executive agency "experts" giving testimony before the subcommittee play an adversary role because they are attempting to convince the members that the requested budgetary figure is both necessary and at its lowest feasible limit. The attitude of the subcommittee members is that the so-called expert testimony may well be biased, therefore judgments from experts are accepted selectively.

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3. The members neglect courses of action initially evaluated as unsatisfactory by the majority of the group. They spend little or no time discussing whether they have overlooked nonobvious gains or whether there are ways of reducing the seemingly prohibitive costs that had made the alternatives seem undesirable.

4. Members make little or no attempt to obtain information from experts who can supply sound estimates of losses and gains to be expected from alternative courses of action.

5. Selective bias is shown in the way the group reacts to factual information and relevant judgments from experts, the mass media, and outside critics. The members show interest in facts and opinions that support their initially preferred policy and take up time in their meetings to discuss them, but they tend to ignore facts and opinions that do not support their initially preferred policy.

6. The members spend little time deliberating about how the chosen policy might be hindered by bureaucratic inertia, sabotaged by political opponents, or temporarily derailed by the common accidents that happen to the best of well-laid plans. Victims of Groupthink, page 10.

<sup>85</sup> Rooney Hearings, page 74.

Some ambiguity remains in assessing Janis' fifth point. For example, it would appear that Rooney was sufficiently informed that the United States would be in violation of international law by not paying its assessed dues. However, the subcommittee may have accepted this information as valid, and nevertheless, may have continued to follow the preferred policy, believing that possible gains would negate any adverse reaction to a short-term violation of international law.

Testimony from the public hearings of the Rooney subcommittee would tend to support Janis' sixth point. The thrust of the subcommittee's argument was that withholding of U.S. funds could force Jenks to give greater weight to American views. Congressman Rooney appeared to disregard the warnings of DePalma that the withholding of payment could easily reach a counterproductive stage where any advantages would be quickly lost because of member state hostility to what might be perceived as American pressure.<sup>86</sup> It should be noted, however, that the jurisdiction of the appropriations committees in the House and Senate did not extend to program development. Mr. Rooney's subcommittee could recommend nonpayment, partial payment or full payment, based on its oversight of programs administered by executive agencies under its funding jurisdiction. Therefore, the degree of contingency planning could be limited by jurisdictional factors as well as dysfunctional aspects of subcommittee cohesiveness.

#### The Senate

The congressional power to appropriate funds is found under the constitutional provision which states that "no money shall be drawn from the Treasury but in consequence of appropriations made by Law."<sup>87</sup> The functions, structure and scope of the House and Senate appropriations process differ substantially. As Fenno has remarked, the House Appropriations Committee is markedly more influential than its Senate counterpart, which acts on a bill once it has passed the House.<sup>88</sup> It has previously been noted that Senate goal expectations are linked to the broader range of demands coming from a less homogeneous constituency than that of the House counterpart. As a consequence, the Senate is generally

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<sup>86</sup> Rooney Hearings, page 77; and House, Second Supplemental Appropriations Bill, 92nd Congress, 2nd session, 1972, page 1123.

<sup>87</sup> U.S. Constitution, article 1, sec. 9(7).

<sup>88</sup> Fenno, Power of the Purse, page 503.



perceived as favoring program over economy.<sup>89</sup>

Before the 1970 financial crisis the Senate had enjoyed a decade during which approval of the ILO appropriations had become pro forma. Since the settlement of the ceiling issue in the late 1950s there were no major threats to the ILO funds.

### Appropriations

The Senate body with direct jurisdiction over ILO funding was the Appropriation Committee's Subcommittee on State, Justice, Commerce and the Judiciary. Chairman of the subcommittee during the crisis was John L. McClellan (D. Arkansas).

Unlike the Rooney subcommittee role in the House, the McClellan subcommittee played a relatively passive role in the crisis. Had there not been a supplemental meeting of the Rooney subcommittee in which a decision was reached to ask Senator McClellan's subcommittee to withhold the ILO assessment, the appropriation would undoubtedly have been approved in its routine, pro forma manner. Senator McClellan apparently withheld the appropriations primarily on the belief that Meany wished him to do so. Undoubtedly the desires of Rooney's subcommittee and the management representative were also factors. However, in June 1971 the McClellan subcommittee was considering the withholding of the 1972 ILO assessment, and Senator McClellan was informed that George Meany had indicated that he no longer favored withholding the funds. The senator stated, "I have no axe to grind in this think [sic]. Last year I thought I was following what labor in this country wanted."<sup>90</sup> He added,

I feel that Mr. Meany should send up some statement for the record. Now he precipitated this issue last year. Maybe rightly so, I am not complaining. But now that we are here confronted with it the second time, I think he should speak out just as he did last year and let us know.<sup>91</sup>

Still later Senator McClellan said,

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<sup>89</sup> Ibid., page 504.

<sup>90</sup> U.S., Congress, Senate, Appropriations for Fiscal Year 1972, page 1261.

<sup>91</sup> Ibid.

I am perfectly willing to do whatever I think is best with the best advice and counsel I can get from those who I would suspect are in a far better position to know than I am. That is what I thought I was doing last time. . . .I am not necessarily saying that my action and my final decision will depend altogether on what we hear from Mr. Meany or what he says. I will weigh it. But I would like to have the opportunity to weigh it. I would like to know what his thinking is now just as we did last year.<sup>92</sup>

The subcommittee, however, was unable to persuade Meany either to testify or to issue an unequivocal statement on the matter. Instead, Senator Javits read into the record a passage from a press conference of 11 May 1971 in which Meany reportedly stated,

Now, as far as the appropriations are concerned, our position is quite simple. We owe the money and we should pay it. However, because of the strenuous opposition in Congress we have gone along with a suggestion made by the employer representative and concurred in by the State Department that we should pay up all of our obligations immediately and, at the same time file an official notice of withdrawal from the ILO two years hence.<sup>93</sup>

Earlier Congressman Peter Frelinghuysen had said of Meany's statement to the press, ". . .it was a very weasel kind of statement. . .because he attributed the decision to quit to strong congressional feeling. I don't suppose there is any strong congressional feeling that we should quit. Insofar as there is any strong feeling in the House that was expressed, is [sic] was by Rooney and that was very strongly that we should not quit."<sup>94</sup>

The evidence is circumstantial. However, in 1971 basically the same arguments were made in the Senate both for and against payment. The major difference was that senators perceived that Meany was probably no longer in favor of continued withholding of the American assessment to the ILO. The result: in 1971 the Senate narrowly voted to continue

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<sup>92</sup>U.S., Congress, Senate, Committee on Appropriations, Appropriations for Fiscal Year 1972, page 1266.

<sup>93</sup>Congressional Record, August 3, 1971, S13033.

<sup>94</sup>U.S., Congress, Senate, Committee on Appropriations, Appropriations for Fiscal Year 1972, page 1266.

withholding the assessment by a vote of 46 to 44. In 1970 the vote was 49 to 22.

### Organizational and Individual Actor Roles

It would be difficult to determine with a high degree of precision the interaction of causal aspects relating to attitudinal differences between the House and Senate subcommittees regarding the ILO crisis. No doubt there are significant organizational differences relating to interaction within each chamber's committee structure, as well as interaction between the committee and chamber. Functional differences between senators and representatives also produce differing sets of organizational and individual goal expectations. However, the above serve to identify the form of action, not cause of motivation. Certain goal expectations can easily be linked to organizational causality. For example, at the most basic level, an elected official will seek to increase the amount of government-related construction and employment in his constituency, thereby hoping to win popularity and votes among his constituents.

The ILO is another matter. As Senator Javits noted, ". . . I don't have any ILO in my state. . . ." <sup>95</sup> To find a causal explanation for an elected official's deep involvement in an issue which is of little or no direct benefit to the official or the interests he represents, it is necessary to go beyond organizational issues. Normative issues such as beliefs, perceptions and psychological aspects of elites would be engaged. Additionally, there is the question of bargaining among elites: could players hope to secure tangible or intangible advantages by following a course of obstructing ILO funding?

Two extremes are represented in Senate testimony. One was the Rooney position of withholding funds. Eventually the tactic changed from complete withholding to partial payment so as not to fall in arrears beyond the two-year penalty period. <sup>96</sup> At the other end of the spectrum was the Javits position, supported by the executive branch. Senator Javits urged full and prompt payment so as not to violate international law. His position was that if the United States wished to continue membership it should pay

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<sup>95</sup> Ibid., page 1259.

<sup>96</sup> U.S., Congress, House, Hearings before Subcommittees of the Committee on Appropriations, Second Supplemental Appropriations Bill, 1972, 92nd Congress, 2nd session, 1972, page 1117.

its assessed dues. If not, it should notify the ILO of its intention to withdraw, but continue payment until the withdrawal was effected.<sup>97</sup>

The question remains, what variables motivated congressional elites to select alternate courses of policy? Both Congressman Rooney and Senator Javits received broadly similar scores on interest group voting tabulations.<sup>98</sup> Ideo-

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<sup>97</sup>Congressional Record, Senate, June 21, 1971, page 1226. Senator Javits indicated that he would favor withdrawal rather than continued nonpayment; however, he strongly advocated payment and continued membership.

Senator Javits, designated the Senate observer to the 56th ILO annual conference, filed a report upon his return. In the report, Senator Javits indicated, among other points, (a) that prior to the Astapenko appointment the Soviet Union had long complained about the absence of a national of a Communist government in the top ILO hierarchy; and (b) there was a reasonable argument for the appointment, given that Communists hold high level positions in other specialized agencies. Senator Javits attempted to analyze the issue from the Soviet perspective and suggested that the USSR "felt as strongly about the appointment, from their point of view, as we did from ours." The senator suggested that many observers believed the appointment was inevitable, and that Jenks may have believed that to delay the appointment was to postpone the inevitable. Senator Javits found no evidence to suggest that the director general made the appointment out of ideological convictions in favor of the Soviet Union or against the United States.

Senator Javits characterized some of the complaints by American elites as well founded. Others, he noted, have resulted from aspects of modern international life, and still others have resulted from American failure to devote sufficient time, energy and resources in interaction within the ILO arena. This mode of analysis is at considerable variance with the Rooney model of causality, which viewed the issue in terms of American failure to counter Soviet influence. The senator concurred with U.S. complaints concerning the use of the ILO as a forum for anti-American propaganda, the erosion of tripartism, and the non-application of the Freedom of Association Convention to the Soviet Union. Senator Javits indicated that he believed if legitimate American complaints could be resolved, then the Astapenko appointment should not prevent the United States from continuing its membership. However, he did note that Jenks had badly erred in the manner in which the appointment was made.

<sup>98</sup>Ralph Nader Congress Project, Jacob K. Javits, 92nd Congress, vol. 5, 1972. Americans for Constitutional Action (a politically conservative organization) gave Javits a



logically, the ground between a liberal Republican (Javits) and a moderate Democrat (Rooney) is not so vast. Prior to election, both men had worked as attorneys in New York. Senator Javits had served in the House for almost ten years before he was elected to the Senate. Both individuals had served as their respective chambers' observer to the ILO, but the experience failed to produce uniform impressions. It would appear that each of the men was able to justify his experiences at the ILO, not only within the boundaries of his view of world politics, but also within the framework of his institutional demands and subjective orientation.

### The Executive Branch Perspective

It has been noted earlier that a lack of clearly defined substantive and political goals enabled individuals to set expectations without necessarily having reference to common criteria. A similar phenomenon would also appear to be an important factor in the organizational setting. In the governmental bureaucracy, where the noncrisis mode of ILO interaction was located within the mid-to-upper-level career civil service, and participation by high-level elites was minimal, goal expectations were noticeably inconsistent among subunit structures. In the absence of clearly formed objectives relating to ILO interaction, a vacuum was created in which organizational and organizational subunit expectations were able to flow, but were not effectively molded into comprehensive policy.

For example, the State Department's Bureau of International Organization Affairs (IO), with an annual appropriations to international organizations during the crisis period of \$160 million, employed one desk officer for ILO affairs.<sup>99</sup> The ILO appropriations constituted approximately five per cent of the total contributions to international organizations funded through IO.<sup>100</sup> Although the ILO desk officer would circulate ILO program information to the relevant bureaus within the State Department, there was little continuity in attempts to pursue goal objectives tied to the

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22% rating for 1971 and a 17% cumulative rating. It gave Rooney a 22% rating for 1971 and a 5% cumulative rating. The Americans for Democratic Action (a politically liberal organization) gave Javits a 70% rating for 1971 and an 84% cumulative rating. The ADA gave Rooney 49% and 88%, respectively.

<sup>99</sup> U.S., Congress, House, Committee on Appropriations, Subcommittee on Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, Appropriations for 1972, page 2.

<sup>100</sup> Ibid., page 478.

substantive issues or to the recurring political problems. The criticism noted in the broader context by the Murphy Commission would appear to apply to ILO participation as well.<sup>101</sup>

Specifically, interview data from the State and Labor Departments suggest the participatory process was plagued by the same inadequate staffing, limited influence, largely mechanical responsibilities and the relatively small policy role found in the Murphy Commission's investigation of the Bureau of International Organizational Affairs.<sup>102</sup> The possibility that one ILO desk officer at State, one--later two--officials in ILAB, and one part-time Commerce official could effectively meet the day-to-day task of preparation for ILO meetings and conferences, prepare for agency reviews and congressional appropriations hearings, as well as formulate long-term plans, is extremely limited. Congressional hearings during the crisis period strongly indicate that the long-term planning and commitment necessary to bring about reforms within the arena so as to promote goal objectives was not feasible given the conditions cited in the Murphy Commission Report. The Labor Department's manpower commitment to ILO tasks suggests a similar situation.

In the absence of the criteria outlined in the Murphy Commission Report, the consequence at the ILO directorate level in State appeared to result in a policy aimed at "satisficing" the requirements of issues of high politics and the relatively few and poorly defined ILO program objectives which had been articulated.

A consequence of "satisficing" was a general executive agency treatment of the ILO as a governmental international organization. Tripartism was not forgotten, but workers and employers had complained that tripartism was being given a back seat to issues of high politics.<sup>103</sup>

#### Institutional and Individual Actor Roles

The AFL-CIO apparently perceived that the U.S. Government delegate prior to the crisis period, George L.P. Weaver, Deputy Under Secretary of Labor for International Labor Affairs, was pursuing objectives which were not wholly compat-

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<sup>101</sup>Murphy Commission Report, page 131.

<sup>102</sup>James Quackenbush, ILAB, Washington, D.C., May 1977; Nancy Vancon, ILAB, Washington, D.C., May and June, 1977; and Edward B. Persons, Washington, D.C., June, 1977.

<sup>103</sup>See, for example, U.S. Department of State, "Memorandum for the Secretary," April 23, 1965, page 1.

ible with its expectations.<sup>104</sup> The labor federation elites apparently held Weaver, a former trade-union official, responsible for the 1965 U.S. governmental concessions which resulted in the granting of additional seats to Communists on the ILO's Industrial Committees.<sup>105</sup>

Weaver was able to establish a close working relationship with Director General Morse; however, his apparent willingness to pursue goal expectations which conformed to the broader issues of high politics rather than the specific issues of contention in the ILO, made him persona non grata with U.S. labor.<sup>106</sup> Furthermore, the Employer delegate (Neilan), stated before a congressional subcommittee hearing that the U.S. Worker and Employer delegates had experienced very little success during the Weaver period in getting the U.S. Government delegate to respond to Russian polemical attacks. He said, "Now this was not the fault of Government, in my opinion. But the individual who occupied the chief of the delegation position, who is a very intelligent man but who was ambitious to become the next Director General and was not really willing to antagonize anybody, if this meant he might not have a chance."<sup>107</sup>

The resulting interunit alignment during this period was unusual, and somewhat strained. The AFL-CIO primarily interfaced with the executive branch through the Secretary of State's Special Assistant for International Labor Affairs, George P. Delaney. Delaney, the former Worker delegate to the ILO, had become the State Department representative and second governmental voting delegate to the ILO annual conference.<sup>108</sup>

According to one former delegation member, having both Weaver and Delaney as governmental representatives polarized the delegation.<sup>109</sup> Delaney participated in international la-

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<sup>104</sup> Interview, Washington, D.C., July, 1977; and "Memorandum for the Secretary," pages 1-2.

<sup>105</sup> Interviews, Washington, D.C., July, 1977, and August, 1977.

<sup>106</sup> Ibid.

<sup>107</sup> U.S., Congress, House, Committee on Appropriations, Part 5, Additional Testimony on the ILO, page 66.

<sup>108</sup> Delaney served as the U.S. Worker delegate to the ILO from 1948-1962, and served on the U.S. Government delegation from 1963-1970.

<sup>109</sup> Interview, Edward B. Persons, Washington, D.C., July, 1977.

bor affairs throughout much of his career and his primary concern in the ILO arena was with the promotion of its substantive work, both in the area of labor legislation and technical cooperation. In the 1950s, as the labor delegate, he actively supported continued American participation--in contrast to Employer delegate McGrath's position following Soviet reentry, Delaney was a leading advocate of the American trade-union position regarding the preservation of tripartite structure and prosecution of the Soviet Union for alleged violations of forced labor and freedom of association conventions.<sup>110</sup>

DePalma has observed that Delaney did not agree with the withholding strategy of the Rooney subcommittee, but was too closely tied to the AFL-CIO to be a forceful independent actor.<sup>111</sup>

According to one former State Department official, high-level elites within the Department found that Weaver's position regarding many of the political issues within the ILO reflected their priorities of goal expectations tied to broader issues of high politics.<sup>112</sup> An informal bureaucratic alliance appears to have coalesced during the Weaver period, reflecting these shared expectations.<sup>113</sup>

The experience of both Weaver and Delaney indicates the difficulty facing the individual wishing to pursue policy objectives which may not have received labor's support. In the context of the ICFTU, Cox has suggested that Meany's failure continuously and systematically to control the organization was central to his favoring withdrawal.<sup>114</sup> Morse has also noted that Meany would withdraw support from an individual when that individual asserted an independence in policy formation toward the ILO.<sup>115</sup>

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<sup>110</sup> See, for example, AFL-CIO, Executive Council Reports, 1957, pages 179-82.

<sup>111</sup> Interview, New York, February 1978.

<sup>112</sup> Persons, Washington, D.C., July, 1977.

<sup>113</sup> Ibid.

<sup>114</sup> Cox, "Labor and Hegemony," page 400.

<sup>115</sup> Morse, New York, March, 1978.



## Interagency Recommendations

Despite any differences in agency subunit and inter-agency goal expectations, by February, 1971, the secretaries of State, Labor and Commerce were able to submit to the President a memorandum listing three recommendations. It was accompanied by the "Interdepartmental Study of the United States Participation in the International Labor Organization," known as the Hildebrand Report. The recommendations were (1) that the United States continue participation in the ILO on a trial basis, pay the financial obligations and "undertake vigorous efforts to improve ILO performance consistent with its basic tripartite character. . ."; (2) that the United States notify the ILO of its intention to withdraw if Congress refuses to appropriate the funds; and (3) seek to persuade George Meany to join in a request to Congress for prompt restoration of funds.<sup>116</sup>

Following receipt of these recommendations, President Nixon stated,

It is simply not consistent with our national dignity to attempt to maintain influence and membership in the ILO if we are not prepared to pay our dues. This Administration will, therefore, have no choice but to give notice of withdrawal from the ILO unless the Congress sees fit to provide our assessed contributions to that organization.<sup>117</sup>

The Hildebrand Report attempted to provide a comprehensive analysis, not only of program and political aspects within the ILO arena, but also of domestic elements. It examined a wide spectrum of political gains derived from utilizing the ILO arena; as well as specific domestic problems such as the failure of Congress to provide enough funds to support adequate delegation manpower, the lack of consistent and firm strategy on behalf of perceived American interests in the arena, and the failure of executive agencies and special interest groups to accord a consistently high priority to participation. However, the analysts appear to have discounted the American labor position toward maintenance of tripartism.<sup>118</sup> According to the report:

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<sup>116</sup> "Memorandum for the President," February 23, 1971, pages 1-3.

<sup>117</sup> Richard M. Nixon, Report to the Congress, United States Foreign Policy for the 1970s (Washington, D.C.: Government Printing Office, 1971), page 214.

<sup>118</sup> Hildebrand Report, pages 74-75.

The price involved for the U.S. is basically not one of money. Rather it concerns the amount of efforts and resources we are prepared to devote to achieve a balance of forces within the ILO, the degree to which we are prepared to be forthcoming toward new programs, and the extent to which we are prepared to make limited trades for marginal advantages with both the East Bloc and the detente-minded West Europeans.

The last point is crucial. The United States cannot have an ILO composed only of purely tripartite societies--desirable as this undoubtedly is in principle. Nor can the United States have its own way on everything occurring in this organization.<sup>119</sup>

### Trade-offs

No mention is made of the trade-off between program and political issues specific to the ILO and issues of high politics. For example, could the United States bring pressure on the Soviet Union for alleged violations of forced labor or freedom of association without engaging issues of high politics? The attempt in the 1974 annual conference to place the Soviet Union on the ILO's "special list" for violation of Convention number 29 (forced labor) provides an example of the confrontation which the U.S. Government unit faced in pursuing ILO objectives which may have conflicted with broader foreign policy issues. As a special interest group, the AFL-CIO has a flexibility to pursue objectives within the ILO arena which may run counter to broader governmental foreign policy. Indeed, the principal issue of contention between the United States and the Soviet Union can, from the trade-union perspective, be simply defined. The issue is one of freedom of association. The AFL-CIO perceives that in the Soviet Union free and independent trade unions cannot exist. In the ILO arena it perceived that tripartism could never be compatible with inputs from Communist member states.<sup>120</sup>

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<sup>119</sup> Ibid., page 79.

<sup>120</sup> See, for example, U.S., Congress, House, Committee on International Relations, Hearings and Markup on Proposed Legislation to Amend the Foreign Assistance Act of 1961, and for Other Purposes, 94th Congress, 1st session, 1975, page 428; and Lane Kirkland, "The Future of the ILO," AFL-CIO Free Trade Union News, pages 1-2, 10-11, 14, Vol. 30, no. 10, October 1975.

While American labor has perceived program advantages in the ILO, the Administration's primary motivation for retention of membership has been political. In 1971 an Administration report which was based on conclusions in the Hildebrand Report cited four principal reasons why the United States should not withdraw at the time:

1. U.S. withdrawal would leave the Soviet Union as the dominant power, affording it opportunity to exploit the ILO as a means of enlarging its own influence.
2. U.S. withdrawal would work against President Nixon's objective of shifting more American aid and technical assistance to international agencies.
3. If the United States withdrew from the ILO it would be condemned for resorting to Cold War politics, returning to a naive isolationism, or for acting from pure spite.
4. U.S. withdrawal could threaten American participation in the entire UN system.<sup>121</sup>

#### Response Within the ILO

Response within the ILO can be viewed in terms of the Office (the executive head and his staff) and in terms of the member states, through their representatives to the ILO.

#### The Executive Head

The recent literature on the power and influence of the executive head has tended to emphasize process. Haas, for example, has viewed inputs to the organization as coming from the demands and expectations of the member states.<sup>122</sup> According to his model, and further developed by Cox, the executive head makes use of conflict in the environment to propose action which was not necessarily part of the conflicting members' original intention. The proposed action leads to organizational task expansion.<sup>123</sup> Creation of the United

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<sup>121</sup>U.S. Departments of State, Labor and Commerce, The United States and the International Labor Organization (An Administration Backgrounder), 1971, pages 3-5.

<sup>122</sup>Haas, Beyond the Nation-State, page 119 ff.

<sup>123</sup>Robert W. Cox, "The Executive Head: An Essay in Leadership in International Organization," International Organization, vol. XXIII, no. 2, Spring 1969, page 213.

Nations Emergency Force (UNEF) is frequently cited as an example of the process.

Haas has formulated three criteria necessary for organizational task expansion:

1. Development of an organizational ideology founded upon shared goals among members; inherently open-ended and acceptable to a viable coalition of members.
2. Linkage of the organizational bureaucracy to the organizational ideology.
3. Transformation of demands and expectations of members to meet organizational subgoals.<sup>124</sup>

Based on the Haas criteria, Cox has developed four propositions governing relationships between executive heads and member states. Two of these points are of particular relevance to Jenks' interaction with the United States:

1. The interests of international organizations have to be advanced within the domestic context of its major member states by making use of such favorable currents of domestic opinion as present themselves, i.e., the executive head must exercise the sailor's skill in using available winds and currents to advance in the direction of his choice;
2. Thus, the executive head needs to fortify his position by alliance with domestic pressure groups. He must not limit himself to "foreign" politics but know how to make domestic politics work in favor of his policies.<sup>125</sup>

The first point developed by Haas has an indirect application to the Astapenko appointment. There are two distinct aspects to the sharing of the organizational ideology. First there is the question of Jenks' relationship to the ILO's ideology. Jenks, an international lawyer of some repute, had spent his entire career in the ILO. In his writings, especially his earlier writings, Jenks developed a vision of a world moving away from the concept of nation-states to that of a world government. Following the second world war, Jenks played an important role in the redevelopment of the ILO's mandate. It was his hope that the ILO could serve to introduce a new world order.<sup>126</sup> In his

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<sup>124</sup>Haas, Beyond the Nation-State, page 119 ff.

<sup>125</sup>Cox, "The Executive Head," page 225.

<sup>126</sup>Alcock, History of the International Labor Organization, chapters 10 and 11.



later years, Jenks may have come to accept the limited role that the ILO was to play in the United Nations system, but as an individual, he remained an internationalist.<sup>127</sup>

The United States Senate and House of Representatives, far from being hotbeds of internationalism, have tended to represent strong undercurrents of American isolationism. From Borah to Bricker some elected officials have viewed with suspicion the possibility that the United States would cede sovereignty to international organizations. It was only through a carefully orchestrated campaign that Roosevelt and Perkins were able to move the Congress, in the form of a Joint Resolution, to accept membership in the International Labor Organization. If Cox is correct that Jenks desired to utilize the ILO as an instrument to promote world government, then indeed the organizational ideology would not have been acceptable to most American participants.

Disregarding for the moment Jenks' perception of the organizational ideology, it is far from conclusive that Jenks viewed the Astapenko appointment as being joined to broader issues. Data from interviews with two ILO officials close to Jenks indicate that his decision to make the appointment was taken with a minimum of consultation and examination of policy options and consequences of options.<sup>128</sup>

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<sup>127</sup>Cox has been critical of both Jenks' style as an executive head, and record of turning legal precedents to practical results. He has suggested that Jenks sought to utilize the ILO as a nucleus of future world government, but stealth would need to be employed, "since the true goals could not be openly proclaimed for fear of provoking obstructions," ("Labor and Hegemony," pages 405-6). Furthermore, Jenks is viewed as having developed an inner circle of loyal staff absolutely devoted to the ideology; and espousing an authoritarian role for the executive head (page 405). Cox has called Jenks' approach a "model of divine right monarchy" (page 407). Cox has also suggested that Jenks tended to view his own historical interpretations as having universal validity (page 405). One ILO official who worked in the Jenks cabinet has said that Cox may be guilty of over-formalizing Jenks' political and legal style. He has suggested that Jenks was, in his later years, less concerned with utilizing the ILO as a nucleus for world government than with developing ILO legal instruments as a model for future and present international organizations. (Padmanabh Gopinath, New York, May, 1978.)

<sup>128</sup>Padmanabh Gopinath interviewed in New York, May, 1978; and K. Tidmarsh interviewed in Geneva, May, 1978.

Circumstantially, the manifest failure of Jenks to anticipate the American reaction to the style and substance of the appointment would also suggest a lack of examination of policy options and possible consequences of action paths.

The leadership styles of Morse and Jenks differed substantially. Morse nurtured and developed relationships between the ILO and major member states, especially the United States. Morse's earlier career in American government provided him with experience and the link necessary to fortify his position within the government and labor and management units. Morse knew how to mold coalitions and alliances, but he also had a keen sense of the limits of the possible.

Jenks lacked his predecessor's understanding of the domestic American political system. Interview data, moreover, suggest that Jenks was unaware of his ignorance. His decision may appear to have reflected compelling logic at the international level, but it represented a failure to utilize available resources to provide a more complete analysis of domestic consequences emanating from selection of a specific course of action.<sup>129</sup>

The manner in which the decision was reached appears to support the Cox "divine right monarchy" interpretation of the Jenks decision-making process. Gordenker, for example, has observed that the appointment of high-level officials within the United Nations system has become widely accepted as a political act, and the organization's leader is frequently obliged to consult formally or informally with governments or pressure groups.<sup>130</sup>

There is a temptation to compare the Jenks decision-making process with the decision-making process that occurred within the Rooney subcommittee. Obviously significant organizational and environmental differences exist, but in both instances data indicate that the decisions were made in the absence of even a marginally efficient analytic assessment of available action paths and their payoff and risk. Furthermore, the role of several key individuals prevented the development and exploration of fully articulated goals reflecting either organizational or bureaucratic politics needs.

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<sup>129</sup> Ibid.

<sup>130</sup> Leon Gordenker, The UN Secretary-General and the Maintenance of Peace (New York: Columbia University Press, 1967), page 91; also Cox, "The Executive Head," page 219.

## Member Response

Within the ILO arena the issues leading to the American withholding of funds were viewed primarily as political. For example, in the March 1971 Governing Body meeting, the Soviet Governmental delegate, Vladimir Sergeevich Pozharsky, observed that:

. . .the main issue behind the confrontation was the question of universality and tripartism. The USSR, for its part, was convinced that the tripartite structure of the ILO was compatible with its universality. . . .<sup>131</sup>

Pozharsky urged the ILO not to make concessions to the United States.<sup>132</sup>

Earlier Pyotr Timofeevich Pimenov, the Soviet Worker delegate, added his perceptions of events leading to the withholding. He charged that "certain circles in the United States, and particularly the Department of Labor, were concerned at what they regarded as an alarming trend within the ILO."<sup>133</sup> He asserted that soon after the Soviet Union had rejoined the ILO, the Department of Labor was given \$8 million to counteract Soviet influence in the ILO. He further charged that by withholding the U.S. assessment, Congress was again using financial pressure to deflect the ILO from its proper direction.<sup>134</sup>

The American Governmental delegate, Edward B. Persons, replied that he had no knowledge of such a subsidy to the Department of Labor.<sup>135</sup> At the November 1971 Governing Body meeting Persons responded to charges by Pozharsky of American political pressure on the ILO, stating that the crisis related to the tripartite character of the ILO, and the current financial aspects were a consequence of this situation. He added that as long as the United States was a member of the ILO it would continue to express its concern for the

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<sup>131</sup> ILO, Governing Body, Minutes, 182nd session, March 1971, page 76.

<sup>132</sup> Ibid., page 73.

<sup>133</sup> Ibid., page 72.

<sup>134</sup> Ibid.

<sup>135</sup> Ibid., page 73. No evidence was uncovered in this investigation to suggest that the Department of Labor did receive additional funds in the mid-1950s to upgrade its participation in the ILO. At the time, day-to-day interface with the ILO was carried out by one Labor Department official.

preservation of the ILO's character, and that it was likely that the crisis would continue in some form until group autonomy was recognized by all members.<sup>136</sup> Persons also injected criticism of what he perceived to be an overt attempt by the Soviet Union to pressure the ILO if its demands were not met concerning distribution of seats on the Industrial Committees.<sup>137</sup>

Not all members were actively critical of the United States for failure to pay its assessed dues. At the March 1971 Governing Body meeting, the Soviet Union was virtually alone in its criticism. The employers had even termed the withholding a "useful shock treatment."<sup>138</sup> The members in general, unlike the executive head, accepted the withholding as a political act, and responded in kind. To a substantial degree, the optics of the members and the executive head differed over the nature of the American action, hence perception of necessary reaction also differed.

For example, the British Employer delegate, Clement Algernon Charles Henniker-Heaton, displayed a pragmatism typical of many Western participants. He stated that the British employers supported free enterprise and free speech, but were willing to cooperate with all ILO participants in furthering the legitimate work of the organization. He added that the British employers did not discriminate between free enterprise and socialist management. He was critical of what he perceived to be the time wasted in purely political speeches, repeating well-known doctrines. He said he believed that in 95 per cent of the ILO's work everyone could cooperate.<sup>139</sup> Naturally, not all Western participants shared Henniker-Heaton's willingness to work with Communist members, but the United States, especially the labor unit, was finding itself tied to a shrinking minority of steadfast anti-Communists.

### Perceptions of Progress

Over time an increasing number of American participants recognized that continued withholding of funds would have a dysfunctional effect on the ILO. Within the executive agencies, the Department of State adopted the position that continued nonpayment would not only have serious consequences for the ILO, but would also arouse strong resentment among potential

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<sup>136</sup> ILO, Governing Body, Minutes, 184th session, November 1971, pages 81-82.

<sup>137</sup> Ibid., page 81.

<sup>138</sup> ILO, Governing Body, Minutes, 182nd session, page 72.

<sup>139</sup> Ibid., page 75.



allies within the tripartite structure.<sup>140</sup> American opponents of withholding conceded that the initial nonpayment had a shock value in establishing the degree of seriousness to which some American participants accorded complaints about perceived problems within the arena.<sup>141</sup> Senator Javits, the most outspoken senatorial opponent of continued withholding stated, "I am willing to say that perhaps I was wrong at the time, and perhaps it [nonpayment] has worked."<sup>142</sup> However, he added that continued withholding would be counterproductive.<sup>143</sup>

It was perceived among all units of American participation that some progress had been made in reducing aspects of contentious issues. DePalma noted, for example, that:

(a) the ILO Governing Body did not in 1970 add Communist delegates to committees to which they had not been elected by workers and employers, as it did for years before;

(b) in 1971 we got a resolution through the General Conference calling for the strengthening of tripartism in the organization, whereas a similar resolution had failed of adoption before;

(c) we put an end to the so-called "double standard" at the 1971 General Conference when the Soviet failure to comply with the Convention on Freedom of Association was fully discussed--for the first time in nine years--and Czechoslovakia was listed for failure to comply with conventions it has ratified;

(d) under a new publications policy laid down by Mr. Jenks, the ILO Director General, the Soviets have complained that not one of their articles has been published in the ILO publications since the fall of 1970;

(e) for the first time, in 1971 an employer delegate was elected President of the Conference;

(f) political propaganda was held down to a minimum at the last Conference and we now have an im-

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<sup>140</sup> U.S. Department of State, Statement by Samuel DePalma Before the Senate Sub-Committee on Appropriations, Contributions to International Organizations, F.Y. 1972, page 4.

<sup>141</sup> Ibid.

<sup>142</sup> Congressional Record, Senate, August 3, 1971, S13030.

<sup>143</sup> Ibid.

mediate right of reply, which we did not have before.<sup>144</sup>

By 1972 even the recalcitrant Congressman Rooney had agreed that the United States had made progress in the ILO arena. His position was not that the United States should withdraw, but that financial pressure should be continued, that "when you have the ball you might as well make points."<sup>145</sup>

#### Decision-Making Linkage

This examination of individual, small group, organizational and environmental aspects has not provided any single explanatory or predictive tool to determine why a particular decisional course was selected. What has been observed is that the organizations, organizational subunits and individual actors held goal expectations tied to their perception of their needs. But these goal expectations were poorly articulated and appeared not to be well understood by many of the actors. The actors were influenced by the bargaining process among elites, by small group psychological factors, by organizational subunit needs, by organizational needs and by the broader environmental and sociological constraints. The actors were also influenced by events which occurred within the ILO as well as broader aspects of foreign policy, especially those engaging East-West conflict.

A distinction needs to be established between the process of goal selection and the process of strategy selection. The decision-making paradigms have provided for the development of a rationale for different units to form different goal expectations. This investigation did not note significant modification of those goals--recognized or unrecognized by the actors. The goals, although poorly articulated and understood, existed. The decision-makers were faced with the problem of selecting a strategy which would fulfill their perception of their goal expectations. Yet one may wonder how strategy could be selected in the absence of well articulated objectives. The solution appears to be that a short-term strategy was selected to meet the needs of partially developed objectives. In the best tradition of the Snyder framework, the actors expected to revise strategy in light of feedback.

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<sup>144</sup>U.S., Congress, Senate, Committee on Appropriations, Second Supplemental Appropriations for Fiscal Year 1972, 92nd Congress, 2nd session, 1972, pages 530-31.

<sup>145</sup>Ibid., page 1120.



## CHAPTER VIII

### CONCLUSION

This investigation has focused on the 1970 decision by the United States Congress to withhold its assessed and legally binding dues from the International Labor Organization. At the onset of this investigation it was hypothesized that:

(a) American participation in the ILO arena has been characterized by a low level of direct relevance of ILO programs to the domestic American labor system;

(b) American participation in the ILO arena has been characterized by East-West and North-South conflict over: (1) the distribution of power and influence within the ILO; and (2) political issues of global significance, frequently tangential to the organization's mandate;

(c) Formal American participation in the ILO arena has been characterized by a complex decision-making process including: (1) competition, conflict and accommodation among interunit organizations and bureaucracies, bargaining among elites, social-psychological factors affecting individuals and small groups, and environmental factors; and (2) idiosyncratic actor inputs;

(d) However, the formal tripartite structure in which units functioned independently yielded to a de facto situation in which the AFL-CIO, with power accrued as a highly significant special interest group, was able to inject many of its foreign policy perceptions into the government's ILO policy-forming and participatory process.

#### The Paradigms

The relevance of ILO programs to the domestic American labor system has been explored in the context of American labor legislation, negotiating and standard-setting styles. Distribution of power and influence within the arena, as well as introduction of contentious issues outside the ILO's direct mandate, has been joined to the institutional structure of participating American units and their goal expectations. The value of the various decisional paradigms was weighted by a qualitative assessment of the decision-making



process within each contributing subunit. Through a mix of interview data, congressional hearings, source material from executive branch agencies, special interest groups and the ILO, it was possible to locate the decisional points and roughly reconstruct the decisional process.

Perhaps it is worthwhile stressing that although this investigation has utilized a particular time frame, the temporal coordinates are of secondary importance. Rather, the events are part of a continuum. There is linkage to the past and the future. The crisis was triggered by an event that was little more than a focal point for unsettled grievances of the past. A form of resolution came with an equally unspectacular note. Participants perceived: (a) a broad but ill-defined cluster of improvements; and (b) the withholding action was becoming dysfunctional. However, the events cited as leading to the initiation and resolution of the crisis were superficial indications of deeper areas of contention encompassing a larger time frame--hence it could be said that the boundaries of the crisis were fluid.

The risk inherent in overly emphasizing the role of individuals is that there will be a temptation to conclude that events would have been substantially altered had these individuals not participated or had they behaved differently. Certainly there have been events in history which may have been shaped largely by the role of the individual. However, in this instance there are environmental and organizational undercurrents to the structure and process of participation in the ILO which carry the analyst beyond individual actor inputs. Individuals such as Jenks, Rooney and Meany may be seen as exacerbating the conflict by responding to their perceptions of objectives and needs. These individuals, seeming at times to be exhibiting idiosyncratic actor traits, also were responding to needs emanating from environmental, historical and organizational lines which limited the role of the individual as an independent variable.

Viewing the individual actor role as a dependent variable may appear to contradict much of the analysis in this investigation. Hopefully, upon closer examination, it will not. An idiosyncratic element may have contributed to the form, scope and timing of the withholding crisis. A plausible argument could be made to support the thesis that idiosyncratic inputs adversely affected the selection of the course of action--that the action (withholding of funds) was not the optimal mechanism to persuade the ILO director general to reverse his decision. It could be further argued that objectives emanating from organizational and bureaucratic politics paradigms contributed to the decisional process. However, the imbalance resulting from the ability of one tripartite unit (organized labor) to informally coopt another unit (gov-

ernment) to support its policy perceptions, especially regarding Soviet participation, led to a situation in which much of the formal decision-making process was effectively nullified. The AFL-CIO's informal capacity to influence government policy in the ILO will be discussed in greater detail in this chapter.

### Goal Expectations

In a formal sense the ILO's tripartite structure would prevent the operation of the classical unitary, purposive rational actor paradigm because the government did not participate as a unitary actor. Rather, it shares authority with special interest groups; and secondly, even within the government unit, subgoals have yielded differing expectations. The McNair Committee Report established that tripartite delegations exist in varying degrees of purity.<sup>1</sup> Even in the United States, which has had one of the most independent tripartite delegations, there has been a wide range of shared goal expectations.

To a degree, goal expectations were examined in the Johnson Committee Report, the Hildebrand Report and in other government studies as if "American" goals and objectives, alternatives, consequences and choices could be viewed in a unitary and rational, i.e., consistent, value-maximizing mode.

Rationality, as utilized in the Analytic paradigm, has been somewhat idealized. The subjective nature of perceptions by individual actors generally is recognized by the analyst, but often he makes the unwarranted assumption that the decision-maker will make efficient use of his process for subjectively determining goal objectives. The decision will then be "rational" in that it will provide access to the optimal course of action to attain the decision-maker's goals, which may or may not be founded on subjectively based--hence possibly erroneous--perceptions.

The manner in which Jenks and the Rooney subcommittee selected action paths raises serious doubts concerning the extent to which their decisions reflected fully developed subjective rationality. It has been noted in this investigation that the action path selected by Jenks did not maximize desired objectives. Interpretation of the Rooney subcommittee action path is more complex because there are more variables. However, the testimony indicates that the course of action had not been clearly articulated at the time it

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<sup>1</sup>McNair Committee Report. Text in Official Bulletin, vol. XXXIX, no. 9, 1965, pages 476-599.

was implemented. The subcommittee did not, at least in public, examine alternatives and consequences of action, but simply adopted a proposal that would enable a course of action to be launched, but with little apparent regard to the linkage between action and objectives.

While there has been a sharing of many goal expectations, especially those that have pertained to issues of high politics, there has been by no means unanimity among American units. Simon has noted that goal expectation within units is linked to organizational and organizational subunit structure.<sup>2</sup> From this it would follow that a governmental unit with foreign policy jurisdiction (State) would naturally develop an organizational structure and goal expectations differing from an executive agency counterpart with jurisdiction over technical or program issues. In practice boundary lines are not as clearly delineated as they are in theory. The Labor Department, with its responsibility for the day-to-day ILO participation and its expertise in substantive issues, was not able to avoid broad political issues. Political issues can always be found in the substantive work and substantive aspects cannot be removed entirely from the political issues.

Not only did role differentiations within the executive branch lead to differing goal expectations, but also functional variations between the executive agencies and Congress resulted in contrasting goal expectations.

The differing goal expectations among U.S. participants can best be viewed within the issue of tripartite representation. The decline in tripartism has quite logically been perceived as more of a threat by those units most directly affected--the nongovernmental units. However, even within the American governmental participatory structure, response to perceived declines in tripartism within the ILO has not been met uniformly. Within the Government, the lack of uniform response would appear to be attributable to differing organizational and individual goal expectations. For example, within the State Department there is occasion for the issue of tripartism to conflict with broader foreign policy issues such as detente. This is less likely to occur in Labor or Commerce, with their narrower mandates and nongovernmental constituents. However, within organizations, individual elites have provided exceptions to this functional division. Within the State Department, the Secretary's Special Assistant for International Labor Affairs was a strong

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<sup>2</sup>Simon, Administrative Behavior, page 9; also Cyert and March, A Behavioral Theory of the Firm, page 116.

advocate of tripartism, while the Labor Department's Deputy Under Secretary of Labor for International Labor Affairs prior to the crisis period was an advocate of a modified universality and broader foreign policy objectives.<sup>3</sup>

### Perception of Tasks

It would be erroneous simply to conclude that the State Department policy advocated pursuance of broader issues of high politics while that of nongovernmental participants was limited to issues of contention within the ILO arena. In the foreign policy arena, the State Department is faced with resolution of a multitude of foreign policy demands--some conflicting and some parallel. Resolution, both within the Bureau of International Organization Affairs and between the Bureau and other subunits, is typified by the "satisficing" process. Policy has reflected a desire to resolve the contentious issues within the ILO arena, while meeting the sometimes conflicting, sometimes accommodating demands of broader policy issues within the Bureau and within the Department.

Both the trade-union federation and the employers' association, with more functionally specific tasks, exhibit fewer signs of "satisficing" in the foreign policy arena. For example, the AFL-CIO's position on tripartism in the ILO was wholly compatible with its stated foreign policy objectives and its program activities. The U.S. employers viewed preservation of tripartism in terms of promotion of free enterprise, and here there was no conflict.

Differences in goal expectations have led to a degree of bargaining among elites in the context of bureaucratic politics interaction. In 1965, for example, the U.S. workers threatened not to nominate a delegate for the following ILO Conference unless they were given a greater participatory role.<sup>4</sup> Bargaining by individual actors has also been a function of the congressional appropriations system; however, this has not been unique to the ILO participatory process. The bargaining characteristics of the Bureaucratic Politics paradigm have also been observed as occurring within units. In the Government unit, career officials and political appointees interacted with their counterparts, both within their executive agency and among other executive agencies, in order to formulate program and political policy positions.

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<sup>3</sup>See pages 202-203.

<sup>4</sup>U.S. Department of State, "Memorandum for the Secretary," April 23, 1965, page 1.



Division among American participatory units and within units may have reflected competing organizational and individual actor demands, but any disunity that appeared during the crisis period generally reflected differences over strategy rather than policy. To this extent, at the strategic level, the American tripartite participation in the ILO may have appeared slightly schizophrenic, but at the underlying policy level, unity would appear to have prevailed.

### The ILO Variable

It has been repeatedly suggested in the preceding chapters that the ILO must be considered in its role, both as a dependent and independent variable. The ILO, through its secretariat and various organs, has displayed its ability to initiate action. For example, among international executive heads, ILO directors general from Thomas to Jenks have exhibited a capacity for a high level of independent initiative. Action taken by the Governing Body and the ILO has added to the ILO's role as an independent variable in the global arena of international actors.

However, the ILO, both as a subsidiary organ of the United Nations, and as an actor in the international system, interfaces with its environment. Nation-states remain the principal international actors, and an institution such as the ILO is subject to the influence of more powerful individual states and coalitions of smaller states.

Of particular concern to the United States has been the participation of the Soviet Union, and more recently, the developing countries. In a global context, the United Nations system has been a focal point for the expression of attainment of recognition and legitimacy by states seeking to enter a previously narrow circle of international decision-makers. The Soviet Union, since reentry in 1954, has sought to attain status as a major power in the ILO. The appointment of a Soviet assistant director general became the focus of conflict, not so much for the innate power of the office, but for the acknowledgement of major power status that would be conferred upon the state whose nation held the office.

This is not to suggest that the Soviet Union merely desired to become "one of the boys" in perpetuation of the status quo ante. A reading of International Labor Conference Proceedings and Governing Body Minutes will demonstrate that the Soviet Union pursued a policy that, if successful, would have diverted the ILO from many of its principal tasks, especially those relating to trade-union development and enforcement of human rights standards. Although a modus vivendi was reached with the Soviet Union in other interna-



tional organizations, it is difficult to conceive how the Soviet Union could have been accepted into the decision-making nucleus without a subsequent perception by American participants of an erosion of tripartism.

In one respect, the position of the developing countries in the 1960s was analogous to the Soviet position in the 1950s. Both perceived themselves to be second-class members of the ILO. The ILO's executive organ, the Governing Body, has continued to reflect primarily Western interests; the ILO, however, has come to represent the aspirations of a new majority--often seen as a coalition of Communist and developing member states. The cohesion of this new coalition has yet to be fully tested over time. There is reason to believe that the United States can have a significant moderating impact on the voting behavior of developing states. This influence may be felt in the ILO, regardless of the American membership position, and in the United Nations and its other specialized agencies.

#### Typical or Atypical Decisional Process

Did the ILO decisional process reflect a general pattern of American policy formation or did it represent an exception or a variant? Several factors would suggest that the 1970-1972 American decisional process was significantly different from the general pattern of United States foreign policy formation. For example:

- (a) Labor and management formally interacted with government in the ILO decisional process;
- (b) the ILO lacked a strong domestic constituency;
- (c) the leader of the AFL-CIO and a key subcommittee chairman were hostile toward the organization;
- (d) high-level government elites lacked interest in the ILO and ILO participatory process;
- (e) the issue of ILO participation was joined to East-West conflict, and the organization was perceived by some elites to be dominated by Communists.

The above examples may serve to delimit the areas where U.S. participation in the ILO would not be relevant to American participation in other organizations, but they do not establish that the experience has no carry-over. On the contrary, it could be an extremely useful exercise to explore the decisional process leading to the withholding of funds to UNESCO or to the funding pressure placed on UNDP. A more recent example would be the 1978 congressional decision to delete \$27.7 million in assessed (nonvoluntary) funds from the regular United Nations budget. Congress also legislated that no part of the remaining funds appropriated to pay American dues to the UN could be used to finance technical

assistance programs from regular budgets.<sup>5</sup>

Possibly, broader application may be found to exist because U.S. government interaction toward international organizations follows a fairly standard process. This is especially evident in the relations between the executive agencies and the appropriations committees and subcommittees, as well as in the relations between the executive agencies and the entire House and Senate.

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<sup>5</sup>For a critique of the decision see: Department of State, speech by Charles W. Maynes, Assistant Secretary of State for International Organization Affairs, "What's Wrong with the United Nations--and What's Right," Current Policy, no. 49, December 1978; and, "U.S. Financial Obligations to UN Agencies," Department of State, Bureau of Public Affairs, GIST, January 1979.

## EPILOGUE

In one sense the 1970-1972 financial crisis was not resolved in 1972 when Congress authorized partial payment of American dues, but in 1977 when the United States withdrew from the ILO. From 1972 to 1975, the United States paid enough of its assessed contributions so as not to jeopardize its voting rights, but continued to remain in arrears. In 1975 when the United States filed a letter of intent to withdraw, after a two-year period mandated by the ILO constitution had elapsed, Congress appropriated the necessary funds.<sup>1</sup>

The incident in 1975 which nominally precipitated the American announcement of intention to withdraw was the admission of the Palestine Liberation Organization as an observer. However longstanding grievances relating to the politicization of the organization and participation of the Soviet Union underpinned the American decision. The admission of the PLO had been considered the year before in the 59th session of the International Labor Conference (ILC) and in the two previous Governing Body meetings, as well as in OAU and OAS meetings. By the time the Committee on Standing Orders submitted its report to the Conference, the issue had become polarized. According to the American Department of Labor view, the issue had become joined to a debate between members:

. . .who envisage the ILO as a universal, tripartite organization dedicated to enhancing the welfare of workers everywhere and those who would exploit this international forum as a vehicle and a forum for selective, partisan, political purposes.<sup>2</sup>

In retrospect, the Department of Labor noted:

A cross-section of delegates representing a spectrum of Arab and Third World countries predominated as proponents of the Committee's

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<sup>1</sup>GAO, Need for U.S. Objectives in the ILO, May 16, 1977, page 3.

<sup>2</sup>U.S. Department of Labor, ILAB draft report of the 1975 International Labor Conference, Report of the Committee on Standing Orders, 1975, unpublished, page 5.

Report. It was patently evident from the outset that they not only had a numerical majority but that theirs was a well-prepared, well-calculated, well-rehearsed effort, both substantively and juridically, to buttress the case of the PLO before not only the ILO but world public opinion.<sup>3</sup>

The position of those states advocating non-admission of the PLO as an observer to the ILC had been seriously undermined by the precedent established when the PLO representative was allowed to speak before the UN General Assembly. Additionally, the PLO supporters pointed out that the ILO, in its 190th session of the Governing Body, established a precedent by admitting liberation movements from Guinea-Bissau, Angola and Mozambique as observers.<sup>4</sup>

#### U.S. Response to PLO Admission

Admission of the PLO as an observer caused the entire American delegation to withdraw from the ILC in protest. However, the U.S. Government delegation later returned "so as to be in a position to defend our interests in the Organization."<sup>5</sup> Following the vote to admit the PLO, Irving Brown, the American Worker delegate, explained U.S. labor's reasons for withdrawing from the ILO, stating:

We oppose the admission of movements which seek the destruction of another State as a prerequisite to achieving their goals. . . We oppose the admission of any group or organization that is not legitimately tripartite.

Every delegate in this hall knows that practically every nation represented here has at least

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<sup>3</sup> Ibid., page 7.

<sup>4</sup> ILO, International Labor Conference, Record of Proceedings, 60th session, page 247. An interesting brief on the question of PLO admission, prepared by David A. Morse, has been printed in the U.S. Senate, Committee on Governmental Affairs, Symposium on the Role of the United States in Specialized International Organizations, June 15, 1977. The brief noted the precedence established by the General Assembly, but observed that the tripartite nature of the ILO caused the political pressures accompanying the issue to be more circumscribed and subject to more negotiation than found in other UN agencies (pages 56-58).

<sup>5</sup> ILO, International Labor Conference, Record of Proceedings, 60th session, page 255.



one liberation or terrorist organization operating within and outside its national boundary. I suggest that the action that this plenary session has just taken opens the door for other non-tripartite organizations to be admitted to this hitherto essentially technical organization devoted to the basic economic and social interests of the workers. . . .<sup>6</sup>

Following the admission of the PLO as an observer to the International Labor Conference, the U.S. House of Representatives, by a floor vote, amended its Appropriations Committee's report for the fiscal year 1976 to delete one half of the 1975 calendar year ILO assessment and the entire 1976 assessment. The Senate restored the 1975 amount but not the amount for 1976. A Joint Conference Report, approved by both the House and the Senate, adopted the House version. Interestingly, the House amendment to cut ILO funding was sponsored by Congressman Slack, the man who replaced Rooney as subcommittee chairman. It was opposed by Congressman Cederberg, the ranking minority member of the subcommittee.<sup>7</sup> However, following the November 6, 1975 letter of intent to withdraw, Congress, in supplemental hearings, agreed to meet the financial obligations.<sup>8</sup>

Four months following the walkout, Lane Kirkland, Secretary-Treasurer of the AFL-CIO, wrote that continued participation of the trade-union federation in the ILO was "very much in doubt" because of the ILO's "growing tendency to draw away from its role in support of freedom and social justice for workers and their dependents around the world."<sup>9</sup>

The American letter announcing the intent of the United States to withdraw from the ILO was submitted the following month. The idea of submitting a letter of intent to withdraw and then using the two-year waiting period required under the ILO constitution to measure progress, was not new. This proposal had been discussed in congressional hearings as early as 1970 and had the support of the AFL-CIO. The 1975 letter was reportedly the result of intensive tripar-

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<sup>6</sup> Ibid., page 254.

<sup>7</sup> Congressional Record, House of Representatives, June 26, 1975, H20935-36.

<sup>8</sup> GAO, Need for U.S. Objectives in the ILO, May 16, 1977, page 3.

<sup>9</sup> Lane Kirkland, "The Future of the ILO," AFL-CIO Free Trade Union News, vol. 30, no. 10 (October 1975), page

tite discussions and numerous drafts.<sup>10</sup> It was reportedly drafted by Senator Daniel Patrick Moynihan, then the U.S. Permanent Representative to the United Nations.<sup>11</sup>

Two years later, Moynihan, a United States Senator, measuring the results of the waiting period, stated:

In sum. . .the Communist world having totally destroyed the right of free association and collective bargaining, has become immune nonetheless from censure by the ILO.

. . .with good faith, the American business community and the American labor movement. . . went back to Geneva and for two long years sought two simple propositions: First, that there would be a single standard for the right and responsibilities to avoid political issues in order to go about its work. . .

. . .in June this year that effort failed.<sup>12</sup>

In support of this perception of failure, Senator Moynihan cited newspaper articles which detailed setbacks received by the United States' attempts to reduce what it considered to be extraneous political issues and to prevent new anti-Israeli maneuvers in the ILC. He gave special weight to the last paragraph of a Wall Street Journal article, "Deja Vu at the ILO":

Instead, these events should remind us that international forums like the ILO have become a dangerous kind of place for us. The Carter administration has begun an effort to identify the U.S. more closely with Third World concerns: what we've gotten for the effort so far has been exemplified by the treatment we received from the ILO. We'd best start building a foreign policy around the illusion that we can expect much different in the future. It's been to labor's credit that they, at least, have seen our situation clearly and have been willing to make the hard choices that this situation entails.<sup>13</sup>

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<sup>10</sup>Department of Labor official, interviewed in Washington, D.C., May 1977.

<sup>11</sup>Congressional Record, Senate, July 19, 1977, S12338.

<sup>12</sup>Ibid., S1339.

<sup>13</sup>Wall Street Journal, June 29, 1977, in Congressional Record, S12340, July 19, 1977.

## American Strategy and the ILC

The Moynihan position represents one approach, but it is evident that between Congress and the executive agencies, and even within Congress, other strategies have developed. For example, Charles William Maynes, Assistant Secretary of State for International Organization Affairs in the Carter Administration, has advanced a policy of cooperation with a united Third World bloc, rather than pursuance of a policy to split the group's unity. Maynes has advocated a strategy of "tough diplomacy" balanced by "practical accommodation." As a payoff for this policy, Maynes has cited American success in working with black African states in May 1976 to block the Algerian-led plan to link Zionism with racism in two ECOSOC resolutions.<sup>14</sup> But the ability of the Western members of the Security Council to successfully negotiate with the African front line states regarding reduction of tension in southern Africa would appear to be a further test of the Maynes position.<sup>15</sup>

Explaining American withdrawal from the ILO, Maynes has cited the politicization of the 1977 ILC in its failure to adopt the report of the Conference Committee on Application of Standards. The report, reflecting the findings of the ILO's independent Committee of Experts, was critical of the Soviet Union for noncompliance regarding its forced labor and freedom of association treaty obligations. Maynes has written:

It is rare that any single question can produce such an intensive coalescence of foreign affairs and domestic viewpoints and pressures as this one involving the ILO did. The issues concerned the balance between benefits of membership, which were considerable, and trends in the organization, which were alarming. The President pondered this problem up until almost the final hour and then decided the United States should let its letter of withdrawal take effect. He did so, however, in the spirit that the United States will return to the ILO if its performance improves.<sup>16</sup>

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<sup>14</sup> Charles William Maynes, "A U.N. Policy for the Next Administration," Foreign Affairs, vol. 54, no. 4 (July 1976), page 812.

<sup>15</sup> United Nations Security Council, S/PV.2082, 27 July 1978.

<sup>16</sup> Idem., "United Nations: Benefits from the U.N. Agencies," Department of State Bulletin, vol. 78, no. 2011, (February 1978), page 48.

While the 1977 ILC can hardly be considered a success from the American vantage point, the failure of the conference to come to terms with what the American delegation considered to be a double standard in enforcement of treaty obligations and the injection of political issues into the forum was not as complete as suggested above by Senator Moynihan. According to the American Worker delegate, it was the failure of the Conference to accept a report of its Committee on Application of Standards which was the overriding factor in U.S. labor's decision to withdraw from the ILO.<sup>17</sup> The work of the committee was considered favorable by the eight member states for continued failure to comply fully with various ILO human rights treaties. These states included Argentina, Bolivia, Chile, Czechoslovakia, Ethiopia, Liberia, Uganda and the Soviet Union.<sup>18</sup> Although the committee did not adopt an Arab proposal to end its examination of Israel's application of the Discrimination (Employment and Occupation) Convention--thus channeling the examination of charges underlying the 1974 Conference resolution condemning Israel into the ILO's regular investigative machinery--in the plenary and the majority of members, as noted above, abstained on the adoption of the committee's report.<sup>19</sup>

At the 1978 ILO Conference the Arab states suffered a significant defeat when a resolution, submitted by Syria and Libya concerning violations of trade-union rights in the occupied territories, was defeated by lack of quorum. In 1978 many of the Third World states that had supported similar resolutions in the past abstained. Ironically, the lack of quorum measure has been the technique used successfully in past years by Communist and Third World states to defeat positions supported by the United States.

#### Article 17

In 1977, the proposed amendment of Article 17 of the ILC's Standing Orders--designed to improve due process and reduce politicization--was not permanently defeated, but received a major setback. By use of a procedural device--lack of quorum--the Communist and developing states caused the American-supported amendment to be shelved. The shelving of the amendment to Article 17 appeared to be a bargaining ploy in a complex and lengthy negotiation over the restructuring of the composition of the Governing Body and the International Labor Conference.

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<sup>17</sup>Irving Brown, interviewed in New York, March 1978.

<sup>18</sup>ILO, International Labor Conference, Provisional Record, 63rd session, Geneva, 1977, no. 25 (Monday, June 20, 1977), page 8.

<sup>19</sup>Ibid., pages 52-62, and no. 31, pages 28-29.



At the 1978 ILC Conference there was no change in the status of the Article 17 amendment. It remained shelved in the Committee on Structure. The amendment, originally sponsored by the United States, would have established criteria for the nonreceivability of resolutions which are either outside the scope of existing ILO standards or which seek to condemn a member without the benefit of an investigation under the established ILO procedures. The amendment would have substantially depoliticized resolutions by providing for an objective review and evaluation of the receivability of resolutions by a panel of the Committee of Experts on the Application of Conventions and Recommendations.

In seeking passage of the amendment, the Western states have run into conflict with the Third World. The Third World position has been that the Article 17 amendment cannot be discussed in isolation, but must be considered as a part of the larger issue of reorganization of the Governing Body. Specifically, the Group of 77 has attempted to link the Article 17 amendment to amendments to Article 7 (which grants non-elective seats for the states of chief industrial importance) and Article 36 (which requires at least five of these states to ratify amendments to the ILO constitution for those amendments to take effect).<sup>20</sup> The United States has rigidly adhered to the position that it would not enter into negotiations over this kind of a "package deal."<sup>21</sup> The Group of 77, in turn, expressed its nonnegotiable position on structure and on Article 17, by rejecting any informal consultations on these issues and by refusing to consider the 1977 Canadian Government compromise amendment to Article 17.<sup>22</sup> One member of the American delegation was critical of the U.S. strategy that resulted in ushering the Article 17 amendment through the Governing Body, where the United States had significant influence, to the Conference Committee on Structure, where the United States was in a minority position.<sup>23</sup>

### Application of Standards

Despite setbacks for the American-supported report of the Conference Committee on Application of Standards and the amendment to Article 17 of the Standing Orders, the work of the 1977 Conference was viewed with encouragement by some members of the American delegation.<sup>24</sup> The Committee on

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<sup>20</sup> ILC, Record of Proceedings, 63rd session, pages 779-794.

<sup>21</sup> U.S. Department of State, outgoing telegram, no. 127901, June 1977.

<sup>22</sup> ILO, Record of Proceedings, pages 782-83.

<sup>23</sup> Interview in Washington, D.C., July 1978.

<sup>24</sup> Labor Department official, interviewed in Washington, D.C., August 1977.



Application of Standards, for example, defeated by a large margin a Soviet proposal to end the "special list" of states cited for continued failure to implement all provisions of ratified Conventions. The committee also endorsed the principle that the application of international standards must be uniform and not subject to different interpretations for states with different economic and social systems. This was over the objections of the Soviet Government delegate.<sup>25</sup>

A member of the United States Government delegation supported the AFL-CIO view that the United States was not dissatisfied with the work of the Conference, but with the circumvention of what it perceived as due process through the use of the procedural technique of lack of quorum to defeat committee reports.<sup>26</sup> The use of abstentions by Communist and Third World states to cause a lack of quorum is suggestive of a larger unresolved problem of organization structure. As noted earlier, these states have been attempting to bring about significant structural changes which would alter the composition of the Governing Body, where the industrialized market economy states are perceived to have dominant influence, and increase the authority of the ILC, where the new majority can more easily muster the required number of votes.

#### Selection of Response Strategy

Maynes has advocated a policy of forceful response balanced by accommodation, according to the merits of each issue. Moynihan has proposed a response calculated to split the solidarity of the Third World. Both positions address aspects of a problem which has threatened to become acute for the United States in its participation in the United Nations system.

The problem is one of developing a strategy of response within an international agency where the majority of members may no longer subscribe to the organization's tenets, as they were interpreted by the preceding majority.

Implementation of policy by the new majority is often complicated by a residual effect of the antecedent decision-makers. The organization, because of the character and ideological bias of its secretariat, may continue to reflect the aspirations of the previous decision-makers. Within the ILO, Cox has noted, the secretariat has reflected a strong bias in favor of an American doctrine of industrial relations.<sup>27</sup>

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<sup>25</sup>ILC, Provisional Record, no. 25, page 8.

<sup>26</sup>State Department official, interviewed in Geneva, September 1977.

<sup>27</sup>Cox, "Labor and Hegemony," page 409.

Take, for example, the case of the supervision of international labor standards--treaties in the form of Conventions and Recommendations. Two bodies have become focal points in dealing with annual reports on the application of ratified Conventions. The Committee of Experts, appointed by the Governing Body, is responsible for a technical examination of the governments' reports, in order to determine whether the law and practice satisfies the requirements of the ratified Convention. The results of the committee's work are considered by the Conference Committee on Application of Conventions and Recommendations. Additional supervisory machinery includes commissions of inquiry established by the Governing Body, and two special bodies to promote application of freedom of association standards: the tripartite Governing Body Committee on Freedom of Association and the Fact-Finding and Conciliation Commission on Freedom of Association.<sup>28</sup>

Analysis of the formal supervisory process would fall far short of explaining both how and why particular member states are selected for discussion of their possible violations. In this capacity, the secretariat is far from passive. The secretariat has been forced to assume an active role because of the nature of the formal supervisory machinery. The nineteen members of the Committee of Experts meet for a two-week period every spring. Additionally, each Expert is responsible for a certain group of Conventions, and throughout the year receives the relevant government reports. However, in practice, a large portion of the work of the Experts, in their individual and group capacity, falls upon members of the secretariat's International Labor Standards Branch and Application of Standards Branch.

The final product of the Committee of Experts, their report for the Conference Committee on Application of Standards, has come to be strongly influenced by the secretariat. In practice, it is key members of the secretariat who form much of the agenda to be examined and determine which members will be investigated.

According to the May 1976 ILO staff list, the head of the International Labor Standards Branch was Greek, and his deputy Swedish. The head of the Application of Standards Branch was British. Sixteen members of the branch were from Western industrialized market economy states, three from Latin America, one from Asia, one from Africa and three from Eastern Europe.<sup>29</sup> The only Soviet member of the branch

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<sup>28</sup> ILO, International Labor Standards, Geneva, 1971, pages 20-26.

<sup>29</sup> ILO, Staff List, Geneva, May 1976, pages 4-5.

was ranked in a relatively junior position within the professional sector.

The purpose of this subsection has been to suggest that the international organization as an international actor may possess more continuity and internal cohesion than a pattern of fluid alliances and coalitions would suggest. Organizational decisions would appear to be based not only on output from formal machinery, but also from secretariat input. Furthermore, the composition and output of the secretariat may not reflect the changing alliance patterns. The lead-time required to introduce and train a new secretariat to reflect a new majority's policies guarantees a certain bureaucratic immobility. The example of the Application of Standards Branch would suggest that this tendency may favor American policy.<sup>30</sup>

### Domestic Participation

Readers familiar with general patterns of American foreign policy formation may have noted the lack of attention which this study has accorded the role of the President. The omission is primarily due to a similar lack of attention which the Chief Executive has accorded American participation in the ILO through the 1970-1972 crisis period. It was stated earlier that in terms of the government's executive branch, this has been an investigation of decision-making in the middle-level bureaucracies. Rarely have events within the ILO been considered sufficiently significant to demand the President's attention. Morse appeared to be known favorably by presidents from Truman to Johnson. George Meany occasionally brought the problem of Communist participation in the ILO to the attention of the Chief Executive.<sup>31</sup> During the 1970-1972 financial crisis President

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<sup>30</sup> See Cox, "The Executive Head," pages 214-218 for additional comments on the role of the secretariat. The secretariat, apart from its international role, would appear to share common ground with the domestic bureaucracies examined in chapter four. It may be that the goal and subgoal structure of the international bureaucracy has led to an unexpected degree of "internationalization" of the bureaucracy, if only through the cumbersomeness of attuning objectives to meet changing and inconsistent demands of the nominal decision-makers. (See for example, Simon, Administrative Behavior, chapter 12, "On the Concept of Organizational Goals.")

<sup>31</sup> See, for example, "Council Votes Full Support of Protest Walkout from ILO Meeting," AFL News Service, June 16, 1966, page 1.

Nixon took a public stand supporting payment of American dues.<sup>32</sup> However, participation remained largely in the hands of relatively anonymous bureaucrats and a small number of elected officials.

According to one member of the U.S. government, the AFL-CIO had been long dissatisfied by the lack of high-level government participation in ILO affairs. This delegation member suggested that the AFL-CIO, through its 1975 walkout and its role in the subsequent letter of intent to withdraw, hoped to intensify the level of American government participation. It would indeed seem plausible that the AFL-CIO utilized the PLO incident to draw the White House into ILO participation, but this should not be taken to mean that the AFL-CIO leadership did not regard PLO admission as an issue sui generis.<sup>33</sup>

#### Formation of the Cabinet-Level Committee

The 1975-1976 period marked a watershed in American government participation in the ILO. The Department of Labor secured funds to almost triple the size of its ILO staff, located in the Bureau of International Labor Affairs.<sup>34</sup> At the Department of State, one officer was added to what had been previously a one-person ILO desk.<sup>35</sup> However, of greater importance was the formation of a Cabinet-level committee to monitor progress in the ILO. The committee was established by the President in November of 1975 and was charged with coordinating the formation and implementation of American policy towards the ILO. The committee was chaired by the Secretary of Labor, with participation by the assistant secretaries of State, under and assistant secretaries of Commerce and by the Chairman of the National Security Council. George Meany and Charles H. Smith, Jr., U.S. Employer delegate to the ILO, also participated.<sup>36</sup>

The following month a second committee was formed, the International Labor Organization Working Group. The Working

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<sup>32</sup>Richard M. Nixon, Report to Congress, United States Foreign Policy for the 1970's, page 214.

<sup>33</sup>Interview in Geneva, September 1977.

<sup>34</sup>Two Department of Labor officials, interviewed in Washington, D.C., May 1976.

<sup>35</sup>Department of State official, interviewed in Washington, D.C., May 1976.

<sup>36</sup>U.S. General Accounting Office, Report to the Senate Committee on Governmental Affairs by the Comptroller General of the United States, Need for U.S. Objectives in the International Labor Organization, May 16, 1977, page 18.



Group was chaired by the chairman of the Government delegation to the ILO, Daniel L. Horowitz. The Cabinet-level committee met on an ad hoc basis and has continued to monitor ILO activities following U.S. withdrawal. The Working Group was formed to assist the Cabinet-level committee. Meetings have been attended by lower level representatives from the executive agencies and labor and management. The GAO observed that after an active beginning, meetings of the Working Group became infrequent, and most contact was done by telephone. However, Working Group members did meet to discuss American position papers and related topics before the beginning of Governing Body meetings and the ILC sessions.<sup>37</sup> The ILO Working Group was akin to the short-lived ILO Coordinating Committee of the 1960s. That committee also fell into disuse when the members, who were the government officials responsible for the conduct of day-to-day ILO participation, fell into an informal pattern of telephone contact, supplemented by a rare committee meeting.

Shortly after the formation of the Cabinet-level committee, the White House appointed a special ambassador, Lawrence Silberman, to consult with high-level foreign office and labor officials of other governments. The concept behind the appointment was that if the United States were to remain in the ILO, then greater consultation would be necessary among governments sharing common ground on issues. According to a State Department official who accompanied Silberman, the venture was a test to see if it would be possible for the United States to form a coalition to combat what it perceived were the negative aspects of Communist and Third World participation.<sup>38</sup> While Silberman's mission was largely restricted to European capitals, in 1976 and 1977 other government officials visited Asian, African and Latin American capitals to discuss the ILO.<sup>39</sup>

A 1977 Senate report has indicated that the letter of intent to withdraw and the accompanying diplomatic effort had some positive effect on the outcome of the ILO's 1976 ILC and the World Employment Conference, held simultaneously in Geneva.<sup>40</sup> On the positive side, the report indicated, the United States successfully opposed the appointment of an East European as president of the ILC and a last-minute attempt to circumvent an understanding that there would be no politicized resolutions was defeated when such a resolution condemning Chile failed to receive sufficient support. Ad-

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<sup>37</sup> Ibid., pages 18-19.

<sup>38</sup> Department of State official, interviewed in Geneva, May 1977.

<sup>39</sup> GAO, Need for U.S. Objectives, May 1977, page 10.

<sup>40</sup> U.S. Senate, Committee on Government Operations, U.S. Participation in International Organizations, page 8.



ditionally, the Senate report noted that the ILC took the first step required to cite the Soviet Union for violation of a forced labor Convention. The Senate report also noted the defeat of a last-minute attempt at the World Employment Conference by some developing countries to amend the compromise document. Significantly, the move was defeated with the help of some trade-union, management and government representatives from developing countries.<sup>41</sup>

### Policy Formation

The government executive agencies, in general, have separate and distinct organizational tasks. Formation of a single American policy position towards an international organization's conference agenda item or program frequently results in an overlapping of executive agency jurisdiction. In view of the scale of American participation, the problem of coordination of U.S. government interaction has become a significant issue. According to a recent survey by the Senate's Committee on Government Operations, in 1975 the U.S. contributed just over \$1 billion to 65 international organizations. Approximately 60 per cent of the funds were earmarked for the major international financial institutions, and 40 per cent went to the remaining 61 organizations.<sup>42</sup>

### Interagency Coordination

A primary defect in American participation in international organizations has been the lack of a central locus within government responsible for developing overall policy. A frequent recommendation has been for all government agencies to coordinate policy formation and participation with the State Department.<sup>43</sup> In 1966 a directive by President Johnson, subsequently reaffirmed by President Nixon in 1970, provided the State Department with a mandate to play the lead role in the foreign policy and budgetary aspects of multilateral diplomacy.<sup>44</sup> The Senate Government Operations Committee report indicated that 33 different government agencies participated to some degree in formation or implementation of policy towards international organizations. Of 65

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<sup>41</sup>Ibid., pages 8-9.

<sup>42</sup>U.S. Senate, Committee on Governmental Operations, U.S. Participation in International Organizations, 95th Congress, 1st session, 1977, page ix.

<sup>43</sup>GAO, U.S. Participation in International Organizations, 1977, pages 12-13.

<sup>44</sup>U.S. Senate, U.S. Participation in International Organizations, page 35.

international organizations in which the United States participated, only in the case of five organizations was the State Department the sole agency responsible for participation and policy formation.<sup>45</sup> Despite the presidential directives, the Department of State has not been successful in solidifying its position as the coordinator of multilateral diplomacy. In 1977, Assistant Secretary of State Charles W. Maynes noted:

Responsibility for U.S. participation in the UN system is fragmented and uncertain. It is essential that the President and Congress support the exercise of that responsibility even when the policy preferences of other agencies may have to be subordinated.<sup>46</sup>

Maynes observed that successful coordination would require development of procedures to oblige government departments and agencies to work through the State Department in defining their priorities and objectives, matching these to available resources, and most importantly, presenting them as a coherent program for American participation in the UN system.<sup>47</sup>

The issue of coordination evokes a dialectical confrontation between the technocrat and the diplomat-cum-generalist. The State Department generally has lacked the expertise to develop policy regarding technical issues. For example, the Labor Department was given the lead role in coordination of American policy towards the ILO because it was acknowledged by State that the majority of issues within the ILO fell within the competence of that agency. The State Department, in principle, retained the lead in matters of budget and foreign policy. However, the chairman of the Government delegation to the ILO was a Labor Department official, and the Labor Department was the only government agency allocated sufficient manpower to attempt to effectively monitor ILO programs and provide constant inputs into the participatory process.

It was noted earlier that the American Government delegation to the ILO has not always displayed unity. For example, in 1977 the chairman of the American Government delegation, Daniel L. Horowitz, and the State Department's ILO desk officer, Allison Palmer, were reported to have been in open disagreement concerning negotiation strategy at the ILC.

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<sup>45</sup> Ibid., page 38.

<sup>46</sup> U.S. Senate, Committee on Governmental Affairs, Symposium on the Role of the United States in Specialized Organizations, 95th Congress, 1st session, 1977, page 45.

<sup>47</sup> Ibid.

Prior to the meeting of the ILC, the U.S. delegation had adopted positions on four issues of significant concern to the United States: amendment to Article 17; Arab-Israeli conflict; postponement of the Working Party on Structure, and human rights. At the Conference, Horowitz entered into informal negotiations and appeared willing to depart from a rigid delegation position. Palmer objected, threatening to dissent formally if the delegation position were not strictly adhered to.<sup>48</sup> The problem was eventually brought to the attention of Secretary of State Vance, who instructed Maynes to issue further clarification to Horowitz and Palmer. A telegram from Maynes indicated that the Cabinet-level committee opposed the concept of a "package deal" in reference to trade-offs between or among the four major areas of concern. However, tradeoffs were possible where the issues were unrelated, marginally related or of no consequence to the government's four points of concern or to the U.S. workers or employers.<sup>49</sup>

The inability of the Department of State to fully coordinate budgetary and foreign policy aspects of the United States participation in international organizations has been linked to a number of interrelated issues. Traditionally United States foreign policy has been oriented along bilateral relationships, and multilateral diplomacy has failed to develop the support of an influential constituency or to attract the interest of high-level participants within government. Also the lack of technical expertise within State has caused it to turn, officially or unofficially, to other agencies for guidance. The sheer volume and diversity of United States participation in international organizations has also weakened the ability of the State Department to coordinate effectively.<sup>50</sup>

Within the Department of State, the Bureau of International Organization Affairs has been the focal point for coordination of interaction with international organizations. In recent years, IO has been the subject of extensive criticism.<sup>51</sup> The general problems which have been cited have

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<sup>48</sup>Two ILAB officials, interviewed in Washington, D.C., September 1977.

<sup>49</sup>U.S. Department of State, outgoing telegram, no. 127901, June 1977.

<sup>50</sup>U.S. Senate, U.S. Participation in International Organizations, pages 35-36; GAO, U.S. Participation in International Organizations, pages 6-8.

<sup>51</sup>Commission on the Organization of the Government for the Conduct of Foreign Policy (Murphy Commission, page 131); Senate, U.S. Participation, pages 35-38; GAO, U.S. Participation in International Organizations, page 8.

also been symptomatic of American government participation in the ILO. As former ambassador Francis Dale observed, "Multilateral diplomacy has been the tail end of the entire corps. Other countries understand the importance of multilateral diplomacy, but we don't."<sup>52</sup> The State Department, through IO, was responsible for aspects of American government participation in the ILO. Yet with an understaffed ILO desk, manned by new officers rotated into the assignment every two or three years, the likelihood of State being able to fulfill effectively its role was low.

### Objectives

Objectives of the three American units which participated in the International Labor Organization were primarily reactive. That is, the objectives were largely based on preventing what they considered to be changes harmful to the organization or to the U.S. position within the organization from occurring. For example, the 1975 letter of intent to withdraw cited four areas in which a return to the status quo ante--as perceived by the Americans--would need to occur if the United States were to remain a member: (a) tripartite representation; (b) concern for human rights; (c) due process; and (d) politicization.<sup>53</sup>

### Executive Agency Objectives

In 1975 the State Department reported that its objective in the ILO was to work towards alleviating the conditions noted in the letter. In 1975 the Department of Labor also reported that its short-term objectives related to establishing criteria and goals for continued American participation and correction of the conditions which prompted the letter.<sup>54</sup> The Labor Department reported in 1976 that its objectives until November 1977 would be: (a) to strengthen ties with other industrial ILO members; (b) to establish a new relationship with developing countries; and (c) to seek more direct benefit from United States participation in the ILO.<sup>55</sup> Following the 1975 letter and the increase in ILAB staff, the Labor Department began developing more detailed program proposals for the ILO budget and the ILO's medium-term plan.<sup>56</sup> Additionally, the Labor Department began to develop a set of non-reactive objectives. These included: (a) promoting and strengthening democratic institutions in the labor field; (b) promoting jobs and job skills; and (c) fostering better work conditions and protection of workers on the job.<sup>57</sup>

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<sup>52</sup>U.S. Senate, Symposium, page 23.

<sup>53</sup>Appendix, Kissinger Letter.

<sup>54</sup>GAO, Need for U.S. Objectives in the ILO, pages 12-13.

<sup>55</sup>Ibid., page 14.

<sup>56</sup>Ibid.

<sup>57</sup>Ibid., pages 14-15.



The input of the Commerce Department has been relatively minor. However, the ILO's recent involvement in the issue of labor standards for multinational enterprises stimulated the level of Commerce Department participation in the post-1975 period. Although the Commerce Department had not formed specific objectives, it wished to utilize the ILO to promote a free enterprise philosophy and to protect the foreign and domestic industry interests of the United States by upgrading worldwide labor standards.<sup>58</sup> However, there would appear to be some conflict in the latter part of this statement, given the negative position that American-based multinational firms have taken towards adoption of labor standards.

### AFL-CIO Objectives

Like the government, AFL-CIO objectives in the ILO have been largely reactive. They officially endorsed the 1975 letter of intent to withdraw. Even more than the U.S. government, the AFL-CIO has utilized the ILO as a forum to condemn Communist states, and to a lesser degree, non-Communist totalitarian states, for non-application of ILO labor and human rights standards. George Meany has been highly critical of the United Nations system and of multilateral aid programs. Meany has suggested that the United States withdraw its contributions to UNDP and work bilaterally through AID.<sup>59</sup> The AFL-CIO's own ties to its regional labor institutes reflect its bilateral tendencies.

AFL-CIO withdrawal from the ILO, its continued absence from the ICFTU and its recent development of a Free Trade Union Institute in Europe is suggestive of a continuation of the federation's strategy of pursuing its highly personalized style of anti-Communist policy in isolation from established international trade-union movements and other multilateral trade-union organizations. Here it is important to distinguish between strategy and policy. The strategy appears reflective of an idiosyncratic actor input, but the policy of opposition to Communist participation in foreign trade unions has historical linkage to AFL and AFL-CIO objectives.

It would not be accurate to suggest that the present AFL-CIO leadership has pursued a strategy of isolation. The AFL-CIO has considered rejoining the ICFTU, and this may well

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<sup>58</sup> Ibid.

<sup>59</sup> U.S., House, Committee on International Relations, Hearings and Markup on Proposed Legislation to Amend the Foreign Assistance Act of 1961, and for Other Purposes, Statement of George Meany, 94th Congress, 1st session, July 23, 1975, pages 421-445.

occur in the near future. Participation of individual American unions in the ICFTU's semi-autonomous International Trade Secretariats has been increasing although re-affiliation of the AFL-CIO with the ICFTU would undoubtedly give momentum to this trend. However, the AFL-CIO's decision to establish a Free Trade Union Institute in Europe reflected a decisional process based on strategy, which perceived that the ICFTU was not doing enough to counter Communist influence in Spain, Portugal, Italy and France. According to AFL-CIO Secretary-Treasurer Lane Kirkland, participation in the ICFTU would cost \$1.2 million.<sup>60</sup> The AFL-CIO decision-makers calculated that the money could be more effectively spent by working through a bilateral process to fight Communist influence in European trade unions.<sup>61</sup>

At the more functional trade-union level, the AFL-CIO appears to have recognized certain advantages in working with international counterparts to ease current labor problems such as reducing unemployment, especially through transnational reorganization of key industries. In late 1976 the AFL-CIO rejoined the OECD's Trade Union Advisory Council, after having withdrawn in the late 1960s. The council has trade-union membership from 23 industrialized nations, but unlike the ILO, the unions do not have official decision-making power.<sup>62</sup> Lane Kirkland has stated that the AFL-CIO does not necessarily view the council membership as an alternative to ILO participation, but he has said, "it is an interesting place to talk, without the enemy [Communist trade unions] sitting there with you pretending to be workers."<sup>63</sup>

#### Internal Changes

The AFL-CIO, from its merger in 1956 to 1979 has been under the leadership of one individual. This level of continuity of power and influence occurs infrequently in the American political system. It could be expected that length of time in office might contribute to the idiosyncratic actor role. Certainly, both in the congressional system and in the AFL-CIO, seniority and power appear to be interrelated. Recently, there have been some suggestions among labor writers that the power distribution within the AFL-CIO's Executive Council has begun evolving in a leftward direction.<sup>64</sup> De-

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<sup>60</sup>"Why U.S. Labor is Looking Overseas Again," Business Week, April 17, 1978, page 128.

<sup>61</sup>Ibid.

<sup>62</sup>Ibid., page 126.

<sup>63</sup>Ibid., page 128.

<sup>64</sup>See, for example, Philip Shabecoff, "New-Style Labor Still Has Lots of Old Style," New York Times, section 4, December

spite any appearance of change within the AFL-CIO, the 35-man Executive Council voted overwhelmingly in favor of withdrawal from the ILO.<sup>65</sup> Among the Executive Council members, the most vocal opponent of labor withdrawal from the ILO was William W. Winpisinger, president of the International Association of Machinists and Aerospace Workers. Winpisinger has been supported by a small nucleus of liberal trade-unionists including Jerry Wurf of the American Federation of State, County and Municipal Employees, A.F. Grospiron of the Oil, Chemical and Atomic Workers, Glen E. Watts, of the Communications Workers of America, Murray Finley, president of the Amalgamated Clothing Workers, Sol Chaikin, president of the Ladies' Garment Workers, and Lloyd McBride, president of the United Steelworkers. Outside of the AFL-CIO, Douglas Fraser, president of the United Auto Workers, has been an outspoken critic of American withdrawal from the ILO.<sup>66</sup>

The failure of the ILO to develop stronger programs relating to development of trade unions and employers' organizations in developing countries may lie, in part, with the AFL-CIO's reluctance to support the ILO's multilateral approach. For example, in the mid-1950s ILO Director General David Morse attempted to develop a linkage between the dialectically opposed concepts of universal membership and tripartism by pursuing tripartite-related programs. Central to his idea was the creation of a program to promote labor-management relations in developing countries. However, implementation of a program to promote the growth of free trade unions and employers' associations would have required a forceful Western support. Cox has observed that the failure of this program to become the central feature in the ILO's development strategy can be attributed to a decline in American trade-union support, which deprived Morse of the backing necessary for this kind of task-expanding program.<sup>67</sup> Irving Brown, former American Labor delegate to the ILO, indicated that it was not clear to the AFL-CIO leadership

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11, 1977, page 3; "Winpisinger: Forging a 'New Left' Coalition," Business Week, February 21, 1977, pages 78-79; and Time, "Wimpy Takes Command," July 11, 1977, page 51.

<sup>65</sup>Time, July 11, 1977, page 51.

<sup>66</sup>See, for example, letter to President Carter from William W. Winpisinger, August 15, 1977; UAW Washington Report, vol. 18, no. 18 (May 1, 1978), page 1; "Winpisinger: Forging a 'New Left' Coalition," Business Week; and "Wimpy Takes Command," Time.

<sup>67</sup>N.M., "International Labor in Crisis," page 521.

whether the ILO had the capacity to implement such a project on terms that organized labor considered favorable to its objectives.<sup>68</sup>

### Effect of United States Withdrawal from the ILO

The withdrawal of the United States from the ILO was considered by the American employers in the late 1950s, but because of continued AFL-CIO support for the organization, this did not become a serious option until the Astapenko appointment. As late as July 1975 George Meany expressed the hope that there was still "a chance of turning it [the ILO] around."<sup>69</sup>

Because there was no precedent for United States withdrawal from an international organization, the effects have been difficult to assess. Broadly, they can be viewed in two categories: (a) effects within the ILO; and (b) effects within the international organization system. Additionally, there are the effects within the United States, but these will be considered along with those of the international system. The most immediate effect of American withdrawal was felt beginning November 1, 1978 when the United States ceased paying its previously assessed dues which amounted to 25 per cent of the ILO's regular budget. In 1976-1977 the United States contributed over \$40 million to the ILO's \$160 million regular budget.<sup>70</sup> The ILO received an additional \$94 million in that period from UNDP.<sup>71</sup> The United States, which contributes one-third of UNDP's budget continued to indirectly fund the ILO, since there was no way to limit the use of funds donated to UNDP.

Withdrawal of the United States from the ILO resulted in substantial staff and program reductions. However, of more long-term importance, is the effect that United States withdrawal will have on the direction in which the organization will move. ILO officials have expressed serious concern that without the United States membership, there may be a rapid erosion of the tripartite principle. The constitutionally required reorganization to fill the void left by the departure of a member of "chief industrial importance" in the 1978 Governing Body elections signaled the beginning of a power struggle between the remaining market economy states, socialist states and developing states.

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<sup>68</sup> Irving Brown, interviewed in Washington, D.C., March 1978.

<sup>69</sup> GAO, Need for U.S. Objectives in the ILO, page 3.

<sup>70</sup> ILO, Director-General's Program and Budget Proposals for 1976-1977, Geneva, 1974, page 181.

<sup>71</sup> House, Committee on International Relations, Statement of George Meany, page 427.



In 1975, following submission of the U.S. letter of intent to withdraw, at the urging of the United States, industrial states with like-minded positions began forming a loose coalition known as IMEC.<sup>72</sup> The IMEC has continued to meet on an *ad hoc* but continuing basis. The United States, although no longer a member of the ILO, has continued to attend IMEC meetings. The formation of IMEC represents the first attempt to develop a united front among the industrialized market economy states. According to one American participant, while the United States was still a member of the ILO, it was largely able to control formation of IMEC policy positions. With American withdrawal from the ILO, the IMEC members, while aware of U.S. positions, no longer reflected the same willingness to accede to American policy.<sup>73</sup>

The most important split between IMEC members and the United States has involved their position on changes in the structure of the ILO Governing Body. IMEC has supported a proposal developed by the EEC nine concerning the composition of the Government group of the Governing Body. The most important feature of the proposal was that IMEC members accepted for the first time the possibility of making all Governing Body seats elective, subject to certain guarantees to maintain the representative nature of the Government group. These guarantees consisted of taking into account certain objective criteria for the distribution of seats among regions and within regions. The proposal also adopted an idea developed by Asian governments to remove the distinction between titular and deputy seats in the Government group.<sup>74</sup> The United States has announced its opposition to the IMEC proposal. The Group of 77 has welcomed the IMEC proposal, although significant areas of disagreement remain, especially concerning the number of seats to be allocated to various regions. However, the possibility now exists for a compromise package which would, among other measures, endorse a procedure similar to the American-sponsored amendment to Article 17, guaranteeing that no state would be condemned without the benefit of the application of established ILO procedures.<sup>75</sup>

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<sup>72</sup>According to the Department of Labor, the Industrialized Market Economy Countries (IMEC) are the Federal Republic of Germany, Austria, Belgium, Canada, Denmark, United States, Finland, France, Italy, Norway, the Netherlands, United Kingdom, Sweden, Switzerland, Australia, Japan, Ireland, Iceland, New Zealand, Luxembourg, Spain and Portugal.

<sup>73</sup>Interview in Washington, D.C., July 1978.

<sup>74</sup>ILC, Provisional Record, 64th session, Geneva, 1978, page 33/1.

<sup>75</sup>Ibid.

While it is premature to predict, failure of the United States to become an active participant in the ILO would be likely to foreshadow other changes. For example, in the Conference Committee on the Application of Conventions and Recommendations, the Soviet Union and other Socialist states have continued to advance the argument that ILO Conventions are discriminatory in that they fail to distinguish between differing social systems. The Soviet Union has become the leading advocate of the abolishment of the committee's "special list" of continued and flagrant Convention violators. The United States was a leading advocate of retention of sanctions such as the special list. Already Western solidarity on this issue is wavering, with France finding a certain attractiveness in the Soviet argument that it is not the function of an international organization to initiate sanctions, but to assist the state in complying with the international legislation.<sup>76</sup>

For several years prior to United States withdrawal from the ILO, the possible effects of withdrawal were studied within executive agencies. The Hildebrand Report expressed the fear that there was a significant danger that withdrawal would spread to other UN bodies.<sup>77</sup> The Labor Department put forth two scenarios. The first was that withdrawal from the ILO would be regarded as a sign of return to isolationism and the United States would incur the animosity of ILO members as well as that of non-governmental groups. The second scenario was that withdrawal would shock members of the UN system in a way beneficial to the United States. The theory was that by showing the world that the United States was ready to take extreme action, American complaints would receive a better hearing in other international fora.<sup>78</sup> The scenario was similar to the policy advocated by Senator Moynihan, in which he stated on the Senate floor:

This time, this night, the United States says, with the utmost regret, with respect to the ILO, that our patience has been exhausted, our pleas have not been heard and no money can be forthcoming. We are now to leave. Pray God, this makes a sufficient impression upon the members of that body and every other institution in the international system, so that they will understand the conditions under which we would remain. . . .<sup>79</sup>

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<sup>76</sup> Ibid., pages 29/3-29/6.

<sup>77</sup> Hildebrand Report, page 71.

<sup>78</sup> Department of Labor, Mini-Study, page 39.

<sup>79</sup> Congressional Record, S12341, July 19, 1977.

Charles Maynes, writing in the Department of State Bulletin, was placed in the difficult position of defending withdrawal even though the State Department had advocated retaining membership. His argument centered around the importance of monitoring compliance with ILO Conventions. According to his view, the American participants saw this task to be a primary function of the organization. Accordingly, politicization of the compliance monitoring process resulted in a decline in objectivity. The failure of the ILC in 1977 to adopt the report of its Committee on Application of Standards, an objective review of member compliance to ratified labor standards, led to the decision to withdraw.<sup>80</sup>

### Domestic and Transgovernmental Alliances

The Maynes analysis does not examine one significant aspect: the domestic element. To raise a hypothetical question, if the ILO had been a purely governmental international organization, would the events which have transpired have provided sufficient grounds for withdrawal? The answer may be sought in the continued American participation in non-tripartite international agencies--agencies such as UNESCO--which have been perceived by American decision-makers to be as much or more politicized and subjective than the ILO. The AFL-CIO has expressed its displeasure at American participation in UNESCO,<sup>81</sup> but because it lacks official representation, its capacity to influence has been less direct in UNESCO than in the ILO participatory process.

At the organizational and structural level, the 1977 decision to withdraw reflected the success of an unusual alliance of business and labor, working in opposition to President Carter's chief foreign policy advisors and the country's most important allies. That the business-labor coalition proved more viable than the newly developed transgovernmental network should not be surprising in view of the domestic constraints. The early Carter Administration met with serious difficulty in passing key portions of its legislative programs through Congress. Shortly after taking office, President Carter appeared to fall out of favor with the AFL-CIO, possibly because of his unwillingness to appoint the AFL-CIO's choice as Secretary of Labor and his inability to deliver on

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<sup>80</sup>"United Nations: Benefits from the UN Agencies," Department of State Bulletin, page 48.

<sup>81</sup>U.S., Congress, House, Committee on International Relations, 94th Congress, 1st session, 1975, International Development and Food Act of 1975, Statement of George Meany, pages 423-425.

several campaign promises including passage of the Common Situs Bill to strengthen the union position at construction sites, and repeal of the Taft-Hartley open-shop clause. However, in the second year of the Carter Administration, the AFL-CIO's lobbying apparatus began playing an important role in supporting President Carter's energy bill and Panama Canal treaty. Had the President wished to keep the United States in the ILO, he would, of necessity, have given consideration to whether his decision would have jeopardized labor's cooperation in other areas.

Additionally, under the rules of the ILO constitution, the government could not compel the other members of the tripartite delegation to participate, and as Secretary of Labor F. Ray Marshall observed, had the United States government decided to continue participation in the face of labor and management withdrawal, the sincerity of American concerns about the weakening of the ILO's tripartite structure would have been open to question.<sup>82</sup> Also, had the Carter Administration reached a decision to continue participation, it would have needed to secure funds from the House and Senate appropriations committees. With labor and management opposition to participation, obtaining the necessary funds would have been extremely difficult and possibly involved a replay of the 1970-1972 financial crisis.

#### Systemic Limitations

Just as the structure of the international system limits what its component units can accomplish, so does the structure of the domestic system impose limits on its organizational and individual actor components. In both, a change in systemic objectives and perceptions may bring about a change in component roles. For example, domestically, if voter attitudinal changes were to occur which resulted in a decline in influence of organized labor's capacity to raise contributions for its favored political candidates, or a decline in its effectiveness as a special interest force, then organized labor's ability to influence congressional or executive agency policy toward the ILO would, in turn, be diminished.

Under these hypothetical conditions, organized labor's capacity to influence might decline, but if influence were quantifiable--that is, if a finite and measurable amount of influence existed within a given system regarding a specific issue--then, like the laws of physics governing conservation of energy, influence lost by one sector would appear as in-

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<sup>82</sup> New York Times, November 3, 1977, page A10; and White House Press Briefing by F. Ray Marshall, November 1, 1977.



fluence gained by another. At the applied level, this theorem does not appear to be overly solid. A decline in the AFL-CIO's ability to raise political contributions may lead to a decline in voter support for its favored candidates. But one must ask what happened to the voters whose support the organization failed to enlist. Two choices come to mind immediately: the voters may have chosen to remain outside of the system by not voting; or they may have supported other political groupings. To take a specific case, according to a recent Federal Election Committee Report, four of the top five money-raising political action committees in the first six months of 1978 were identified with conservative causes. The AFL-CIO was ranked eighth in the list.<sup>83</sup> That the AFL-CIO fell from its traditional top-ranked position to eighth place during the period may be indicative of a conservative swing in American politics. It is likely that if this trend were to continue over time, a positive correlation between the AFL-CIO's diminishing ability to raise political funds and the diminishing political influence would become apparent.

The point of this exercise was simply to underline the uncertainty factor in the linkage between domestic politics and special interest group influence over time. The 1977 decision to withdraw and the 1970 decision to withhold funds were both tied to the use of influence and power by domestic political groups. Specifically, organized labor, business, Congress and the executive bureaucracy formulated policy on the basis of two factors. The first was the values (political socialization in various group contexts, personal experience, even indoctrination) and beliefs (unverified propositions such as national "myths" and ideologies). The second factor was the needs--institutional and individual--emanating from the systemic constraints and parameters.

The values and beliefs of individual actors as well as national "myths"--coupled with the systemic needs discussed in chapter 2--have distorted the premise that conduct is determined by the attempt to relate means to ends in an efficient, value-maximizing manner. In this study, rational choice was found to be neither wholly tautological, nor wholly idiosyncratic. This is not to suggest that a single general theory emerged as an explanatory and predictive tool. Rather, the weighting of variables contributing to selection of choice was not constant either within or among participating groups other than in areas where consensus existed regarding the so-called national "myths" or core values, or where overlapping systemic needs existed.

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<sup>83</sup> The Washington Post, September 8, 1978, page A5.

## The Multilateral Dimension

Despite the many peculiarities of American policy formation in and toward the ILO, participation also has been influenced by the broader policies formulated by past administrations concerning resolution of global problems through multilateral forums and multilateral diplomacy.

Although it would be imprudent to suggest any clear-cut present-day policy shifts, United States policy positions toward multilateral diplomacy have not been static. In the twentieth century the course of multilateral diplomacy has been uneven. Two world organizations have been created to provide a multilateral framework for the resolution of problems. The remaining institution--the United Nations--was founded and matured in an essentially bipolar world. It is a living example of multilateralism constrained by a super-power environment. The post-Vietnam era appears to be one in which alliance patterns are coming under increased reappraisal. The Carter Administration, in contrast to other recent American presidencies, may have taken initial steps in encouraging both development and interaction with a group of more truly non-aligned states. President Carter has, in word if not so much in deed, reaffirmed the importance of the role of the United Nations in American foreign policy. His action appears to stem from the premise that a growing number of the world's most urgent issues cannot be handled by nations acting either alone or in small coalitions: hence the need for a multilateral forum. Certainly, the dialogue between the rich and poor countries is one that calls for multilateral resolution, as do the problems of the Middle East and southern Africa. Although both the Soviet Union and the People's Republic of China have strong reservations, the peacekeeping efforts undertaken by the Security Council reflect an additional multilateral mechanism that is outside the scope of the powers of an individual nation. The Middle East peacekeeping forces have been essential to the maintenance of a ceasefire and have created an atmosphere in which negotiations for a peaceful settlement could occur. The plan for introduction of United Nations troops to Namibia is intended to lead to formation of an environment in which free and fair elections can be held leading to independence.

The role of multilateral diplomacy in the resolution of global problems is more than tangential to the mandate of UN specialized agencies such as the ILO. Specifically, these agencies are equipped, depending upon their specific technical roles, to contribute to conditions leading to development and improvement of living standards within member countries. In the case of the International Labor Organization, its contributions to development come chiefly through its provision of basic needs and employment-creation programs

and its establishment of international labor standards.

### The Domestic Perspective on Multilateralism

American withdrawal from the ILO, and similarly, its earlier withholding of funds, is tied to the perceptions by domestic decision-making of the value of multilateral diplomacy. Congressional testimony, especially in the House and Senate appropriations hearings from 1970 to 1972, has provided ample evidence that domestic decision-makers in Congress, in the AFL-CIO, in the Chamber of Commerce, and to a more limited extent, in the executive branch bureaucracy, viewed the contribution of multilateral diplomacy to American foreign policy objectives with open hostility.<sup>84</sup> This general perception was also evident in the hearings leading to withdrawal from the ILO where linkage from generally hostile attitudes toward multilateral diplomacy, to specifically critical attitudes toward participation in the ILO was documented in congressional hearings.<sup>85</sup> However, a corollary has yet to be tested: will favorable perceptions of multilateral diplomacy in general lead to favorable perceptions of the specific role of the ILO? This question will need to be examined over time.

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<sup>84</sup>See, for example, Rooney subcommittee hearings of July 31, 1970; and Senate, Committee on Appropriations, Subcommittee of the Committee on Appropriations, Hearings, Department of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations for Fiscal Year 1972, 1971, page 1258 ff.

<sup>85</sup>See, for example, Congressional Record, Senate, July 10, 1977, S12338.





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## Appendix A

### Principal Abbreviations

|         |                                                                                                                                                                                               |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AFL     | American Federation of Labor                                                                                                                                                                  |
| AFL-CIO | American Federation of Labor and Congress of Industrial Organizations                                                                                                                         |
| AID     | Agency for International Development                                                                                                                                                          |
| AIFLD   | American Institute for Free Labor Development                                                                                                                                                 |
| AMA     | American Medical Association                                                                                                                                                                  |
| CGT     | Confédération Générale du Travail                                                                                                                                                             |
| CIA     | Central Intelligence Agency                                                                                                                                                                   |
| CIO     | Congress of Industrial Organizations                                                                                                                                                          |
| COPE    | Committee on Political Education (AFL-CIO)                                                                                                                                                    |
| DIBA    | Domestic and International Business Administration (Commerce Department)                                                                                                                      |
| ECOSOC  | Economic and Social Council                                                                                                                                                                   |
| FTUC    | Free Trade Union Committee                                                                                                                                                                    |
| GAO     | General Accounting Office                                                                                                                                                                     |
| GB      | Governing Body                                                                                                                                                                                |
| ICFTU   | International Confederation of Free Trade Unions                                                                                                                                              |
| ILAB    | Bureau of International Labor Affairs (Department of Labor)                                                                                                                                   |
| ILC     | International Labor Conference                                                                                                                                                                |
| ILGWU   | International Ladies' Garment Workers' Union                                                                                                                                                  |
| ILO     | International Labor Organization--or International Labor Office. The abbreviation throughout this study is understood to mean "International Labor Organization" except when otherwise noted. |
| IO      | Bureau of International Organization Affairs (Department of State)                                                                                                                            |
| NAM     | National Association of Manufacturers                                                                                                                                                         |
| NASA    | National Aeronautics and Space Administration                                                                                                                                                 |
| NLRB    | National Labor Relations Board                                                                                                                                                                |
| OAS     | Organization of American States                                                                                                                                                               |
| OAU     | Organization of African Unity                                                                                                                                                                 |
| OPPD    | Office of Policy and Program Development (Department of Labor)                                                                                                                                |
| PLO     | Palestine Liberation Organization                                                                                                                                                             |
| UAW     | United Auto Workers of America                                                                                                                                                                |
| UN      | United Nations                                                                                                                                                                                |
| UNDP    | United Nations Development Program                                                                                                                                                            |
| UNEF    | United Nations Emergency Forces                                                                                                                                                               |
| UNESCO  | United Nations Educational, Scientific and Cultural Organization                                                                                                                              |
| WFTU    | World Federation of Trade Unions                                                                                                                                                              |



Michael Boggs, AFL-CIO  
Irving Brown, AFL-CIO  
Robert W. Cox, former ILO official  
Samuel DePalma, former Assistant Secretary of State for  
International Organization Affairs  
Padmanabh Gopinabh, ILO official  
Russell Heater, Department of State official  
John E. Lawyer, former Labor Department and ILO official  
Tadd Linsenmayer, Labor Department official  
John D. McDonald, former ILO official  
David A. Morse, former ILO director general  
Amal Mukherjee, ILO official  
Allison Palmer, State Department official  
Edward B. Persons, former State Department, Labor Department  
and ILO official  
Robert Phiffer, former Labor Attache, U.S. Mission, Geneva  
James H. Quackenbush, Labor Department official  
Bert Seidman, AFL-CIO  
James Steiner, U.S. Chamber of Commerce  
Kyril Tidmarsh, ILO official  
Randall G. Upton, Commerce Department official  
Nancy Vancon, former Labor Department official  
William Van Meter, U.S. Chamber of Commerce  
George L.P. Weaver, former Labor Department and ILO official

Seven other ILO officials, including Eastern European and Soviet nationals, were interviewed for this study. They have expressed a wish to remain anonymous.

## Appendix B

### Statistical Afterword

The data in tables 8-12 are of small sample size and are, at best, indicative of trends. Therefore they should be utilized with caution. In conceptualizing the possible forms of data analysis for this study, consideration was given to what kinds of data would yield information concerning relationships among the three American units, and between the units and their foreign counterparts. To accomplish this task it appeared that it would be necessary to examine the extent that voting was common across the American units, and the extent that unit voting resembled the voting of selected functional counterpart voting.

This has been done in tables 8, 9, and 10. However, several problems developed, suggesting that findings based on this statistical approach may have limited application. First, Convention and Recommendation roll call votes, only in the broadest sense, reflect unit position. The numerous variables which contribute to a unit's decision on how to vote for a particular Convention or Recommendation cannot be separated from the vote. To do so would create misleading patterns. This tendency is further exacerbated by the small sample size.

With a larger population, a crosstabulation procedure might produce interesting results, and certainly percentages of American units' favorable votes on Conventions and Recommendations could be compared, not only within the American representation, but also with percentages of favorable votes of analogous units from other states (or by the totality of other national-functional units). However, the problem remains that in the ILO, roll call votes not only are not always indicative of positions, but also may be dysfunctional to the extent that they lead to faulty conclusions.

For example, if an analyst were to examine American management Convention roll call votes, he would note that the U.S. employers have voted in favor of very few Conventions. This would contrast sharply with his analysis of American worker Convention roll call votes. He might conclude that this trend was indicative of substantial differences between the two units. His conclusion would be faulty. The difference could be explained better by basic U.S. employer dislike of Conventions as a form of legislation, rather than any substantive differences, which may or may not have existed on a case by case basis. This is just one of numerous variables which might cause the analyst to hesitate before placing undue emphasis on ILO roll call votes.

#### ILO Annual Conference Record Votes: the 1977 Example

The 1977 ILO Annual Conference record votes are broadly representative of the Annual Conference record votes during the 1968-1977 period utilized in Tables 8, 9, and 10. For the purpose of analysis, the 1977 ILO Annual Conference record votes

have been divided into two categories: (a) votes on issues of inherent political composition; and (b) votes on Functional issues, in accordance with the Mitrany-Haas tradition of equating function with organizational task, whereby a subunit would be expected to fulfill objectives related to its specific role rather than seeking to fulfill foreign policy goals of the state to which it is attached.

According to this criteria, in 1977 five of the ten record votes were political and five were functional. The five political votes were the:

Record Vote on the Proposal Contained in the Third Part of the Second Report of the Selections Committee (concerning which conference committee should deal with the proposed amendments to article 17 of the Conference Standing Orders;)

Record Vote on the Resolution concerning the Granting of Permission to Vote to the Republic of Bolivia;

Record Vote on the Resolution concerning the Granting of Permission to Vote to the Yemen Arab Republic;

Record Vote on Whether the Objections to the Nomination of the Workers' Delegation of Chile are Receivable;

Record Vote on the Adoption of the Report of the Committee on the Application of Conventions and Recommendations.

The five functional votes were the:

Record Vote on the Resolution concerning the Adoption of the Budget for the 56th Financial Period (1978-79) and for the Allocation of Expenses among Member States for 1978-79;

Final Record Votes on the Convention concerning the Protection of Workers against Occupational Hazards in the Working Environment Due to Air Pollution, Noise and Vibration;

Final Record Vote on the Recommendation concerning the Protection of Workers against Occupational Hazards in the Working Environment Due to Air Pollution, Noise and Vibration;

Final Record Vote on the Convention concerning Employment and Conditions of Work and Life of Nursing Personnel;

Final Record Vote on the Recommendation concerning

## Employment and Conditions of Work and Life of Nursing Personnel.

The United States units voted together on two of the five political issues. In regard to the vote on Bolivia, the U.S. government and employers voted in favor and the American workers voted against. In regard to the vote on Chile, the U.S. government and employers did not vote, while the American workers voted in favor of receiving the objections to the Workers' delegation from Chile. In regard to Yemen, the U.S. Government unit voted in favor while the American workers and employers did not vote (both the absence of a vote and an abstention vote are weighted equally in that they do not count toward a quorum).

The Soviet units voted together on three of the five political issues. In regard to the vote on Bolivia, the Soviet government and workers abstained and the Employers did not vote. The Soviet government and workers voted in favor of granting permission to vote to the Yemen Arab Republic, and again, the Soviet Employer delegate did not vote.

At the 1976 Annual Conference the Soviet Government and Employer delegates voted in favor of granting the Bolivian delegation permission to vote, while the Soviet Worker delegate voted to abstain. This represented the first clear case of a split in the previously unified Soviet group voting patterns. In 1976 the Soviet Union again split its vote on the final record vote on the Convention concerning Tripartite Consultation to Promote the Implementation of International Labor Standards. The workers voted in favor while the government and Employer delegates abstained.

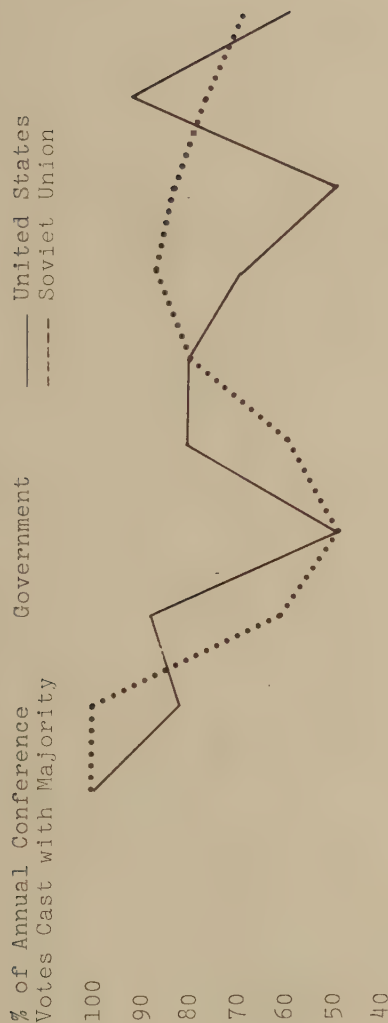
In regard to the functional issues, the U.S. Worker and Employer delegates, true to the Functionalist framework, supported adoption of the budget, while the American Government delegates abstained. The American Government delegates and the Worker delegates voted in favor of the Convention concerning Protection of Workers against Occupational Hazards, while the U.S. Employer delegate abstained. The three American units voted in favor of the nonbinding Resolution concerning occupational hazards. Again, the U.S. Government delegates and Worker delegate voted in favor of the Convention concerning Employment and Conditions of Work and Life of Nursing Personnel, while the U.S. Employer delegate abstained. The three units voted in favor of the nonbinding Resolution on that subject.

The Soviet Government delegates cast abstention ballots concerning adoption of the budget, while the Soviet Worker delegate did not vote. Interestingly, however, the Soviet Employer delegate was the only member of the ILO conference to vote against the adoption of the budget. The Soviet delegates voted as a single unit on all other functional issues.

In terms of Functionalist theory, the United States Delegation split its vote on six of the ten record votes. The Soviet Union appeared to split its votes on three of the ten votes; however, in two of these (Bolivia and adoption of the budget) the abstention vote and the absence of a vote counted as the same, so they cannot be said to represent split votes.

The Soviet Employer delegate's failure to vote on the Yemen issue does represent a genuine split, but it is curious that a split vote would occur over an issue where there was no division of interests. It is more likely that the Employer delegate was simply absent from the conference hall. Indeed, this is likely since the votes on Bolivia and Yemen were held back-to-back on the morning of June 8, and the Soviet Employer delegate was absent for both votes.





Appendix B  
 Table 8

|                            |      |      |      |      |      |      |      |      |      |      |
|----------------------------|------|------|------|------|------|------|------|------|------|------|
| Year:                      | 1963 | 1969 | 1970 | 1971 | 1972 | 1973 | 1974 | 1975 | 1976 | 1977 |
| Number of<br>Record Votes: | 2    | 6    | 8    | 2    | 5    | 5    | 7    | 12   | 14   | 10   |
| % U.S.                     | 100  | 83.3 | 87.5 | 50   | 80   | 80   | 71.4 | 50   | 92.9 | 60   |
| % U.S.S.R.                 | 100  | 100  | 62.5 | 50   | 60   | 80   | 85.7 | 83.3 | 78.5 | 70   |

% of Annual Conference  
Votes Cast with Majority

Workers

United States  
Soviet Union



Appendix B  
Table 9

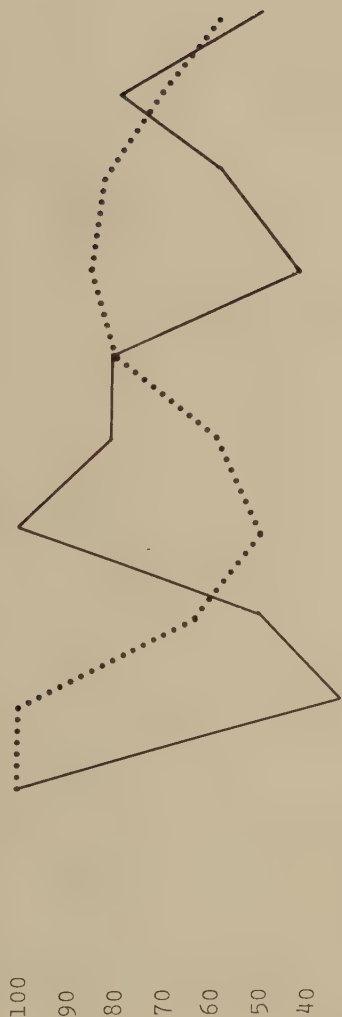
|               |      |      |      |      |      |      |      |      |      |      |
|---------------|------|------|------|------|------|------|------|------|------|------|
| Year:         | 1968 | 1969 | 1970 | 1971 | 1972 | 1973 | 1974 | 1975 | 1976 | 1977 |
| Number of     |      |      |      |      |      |      |      |      |      |      |
| Record Votes: | 2    | 6    | 8    | 2    | 5    | 5    | 7    | 12   | 14   | 10   |
| % U.S.        | 100  | 83.3 | 87.5 | 100  | 100  | 80   | 85.7 | 16.6 | 64.2 | 50   |
| & U.S.S.R.    | 100  | 100  | 62.5 | 50   | 60   | 80   | 85.7 | 75   | 71   | 70   |

% of Annual Conference  
Votes Cast with Majority

Employers

United States

Soviet Union



Appendix B  
Table 10

| Year:         | 1968 | 1969 | 1970 | 1971 | 1972 | 1973 | 1974 | 1975 | 1976 | 1977 |
|---------------|------|------|------|------|------|------|------|------|------|------|
| Number of     |      |      |      |      |      |      |      |      |      |      |
| Record Votes: | 2    | 6    | 8    | 2    | 5    | 5    | 7    | 12   | 14   | 10   |
| % U.S.        | 100  | 33.3 | 50   | 100  | 80   | 80   | 42.8 | 58.3 | 78.5 | 50   |
| % U.S.S.R.    | 100  | 100  | 62.5 | 50   | 60   | 80   | 85.7 | 83.3 | 71.4 | 60   |



Table 11. Breakdown of Delegate Votes of the United States, France, and the United Kingdom, 1967-1972 (Conventions)

| Year   | United States |       |       |       |      |       | France |       |       |       |      |       | United Kingdom |       |       |       |      |       | Total<br>Conf.<br>Vote |       |   |   |   |     |     |    |     |     |     |    |   |   |
|--------|---------------|-------|-------|-------|------|-------|--------|-------|-------|-------|------|-------|----------------|-------|-------|-------|------|-------|------------------------|-------|---|---|---|-----|-----|----|-----|-----|-----|----|---|---|
|        | Gov't.        |       | Empl. |       | Wkr. |       | Gov't. |       | Empl. |       | Wkr. |       | Gov't.         |       | Empl. |       | Wkr. |       |                        |       |   |   |   |     |     |    |     |     |     |    |   |   |
|        | F             | AG AB | F     | AG AB | F    | AG AB | F      | AG AB | F     | AG AB | F    | AG AB | F              | AG AB | F     | AG AB | F    | AG AB | F                      | AG AB |   |   |   |     |     |    |     |     |     |    |   |   |
| 1967   | 1             | 0     | 1     | 0     | 2    | 0     | 2      | 0     | 0     | 1     | 1    | 0     | 2              | 0     | 0     | 1     | 1    | 0     | 1                      | 0     | 2 | 0 | 0 | 196 | 74  | 54 | 240 | 5   | 559 |    |   |   |
| 1968   | 0             | 0     | 0     | 0     | 0    | 0     | 0      | 0     | 0     | 0     | 0    | 0     | 0              | 0     | 0     | 0     | 0    | 0     | 0                      | 0     | 0 | 0 | 0 | 0   | 0   | 0  | 0   | 0   | 0   | 0  | 0 |   |
| 1969   | 2             | 0     | 0     | 0     | 2    | 0     | 2      | 0     | 0     | 2     | 0    | 0     | 2              | 0     | 0     | 2     | 0    | 0     | 2                      | 0     | 0 | 2 | 0 | 0   | 312 | 0  | 30  | 260 | 5   | 67 |   |   |
| 1970   | 2             | 0     | 0     | 0     | 2    | 0     | 2      | 0     | 0     | 2     | 0    | 0     | 2              | 0     | 0     | 1     | 0    | 0     | 0                      | 2     | 0 | 2 | 0 | 0   | 213 | 62 | 62  | 248 | 46  | 46 |   |   |
| 1970*2 | 0             | 0     | 2     | 0     | 0    | 2     | 0      | 0     | 2     | 0     | 0    | 2     | 0              | 0     | 0     | 2     | 0    | 0     | 2                      | 0     | 0 | 2 | 0 | 0   | 181 | 0  | 0   | 186 | 0   | 0  |   |   |
| 1971   | 2             | 0     | 0     | 2     | 0    | 0     | 2      | 0     | 0     | 2     | 0    | 0     | 2              | 0     | 0     | 2     | 0    | 0     | 2                      | 0     | 0 | 2 | 0 | 0   | 320 | 5  | 1   | 339 | 0   | 6  |   |   |
| 1972   | 0             | 0     | 0     | 0     | 0    | 0     | 0      | 0     | 0     | 0     | 0    | 0     | 0              | 0     | 0     | 0     | 0    | 0     | 0                      | 0     | 0 | 0 | 0 | 0   | 0   | 0  | 0   | 0   | 0   | 0  | 0 | 0 |

Key: For = F; Against = AG; Abstain = AB

Number of Conventions Adopted: 1967=2; 1968=0; 1969=2; 1970=2; 1970(M)=2; 1971=2; 1972=0

Adopted Conventions are listed according to the corresponding total conference votes, as shown above. For a list of adopted conventions, see table 14.

\*Maritime Convention



Table 12. Breakdown of Delegate Votes of the United States, France, and the United Kingdom, 1967-1972 (Recommendations)

| Year  | United States |    |    |       |    |    | France |    |    |       |    |    | United Kingdom |    |    |       |    |    | Total Conf. Vote |    |
|-------|---------------|----|----|-------|----|----|--------|----|----|-------|----|----|----------------|----|----|-------|----|----|------------------|----|
|       | Gov't.        |    |    | Empl. |    |    | Gov't. |    |    | Empl. |    |    | Gov't.         |    |    | Empl. |    |    | Wkr.             |    |
|       | F             |    | AG | F     |    | AG | F      |    | AG | F     |    | AG | F              |    | AG | F     |    | AG | F                |    |
|       | AB            | AB | AB | AB    | AB | AB | AB     | AB | AB | AB    | AB | AB | AB             | AB | AB | AB    | AB | AB | AB               | AB |
| 1967  | 4             | 0  | 0  | 2     | 2  | 0  | 4      | 0  | 0  | 4     | 0  | 0  | 4              | 0  | 0  | 4     | 0  | 0  | 290              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 7                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 192              | 45 |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 54               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 267              | 8  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 51               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 321              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 3                |    |
| 1968  | 1             | 0  | 0  | 1     | 0  | 0  | 1      | 0  | 0  | 1     | 0  | 0  | 1              | 0  | 0  | 1     | 0  | 0  | 342              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 4                |    |
| 1969  | 2             | 0  | 1  | 1     | 1  | 0  | 2      | 0  | 2  | 1     | 0  | 2  | 0              | 0  | 3  | 0     | 0  | 1  | 321              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 19               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 237              | 47 |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 48               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 210              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 3                |    |
| 1970  | 2             | 0  | 0  | 1     | 1  | 0  | 2      | 0  | 0  | 2     | 0  | 0  | 2              | 0  | 0  | 1     | 2  | 0  | 213              | 62 |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 62               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 248              | 46 |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 46               |    |
| 1970* | 5             | 0  | 0  | 5     | 0  | 0  | 5      | 0  | 0  | 5     | 0  | 0  | 5              | 0  | 0  | 5     | 0  | 0  | 190              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 192              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 184              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 184              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 188              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
| 1971  | 2             | 0  | 0  | 2     | 0  | 0  | 2      | 0  | 0  | 2     | 0  | 0  | 2              | 0  | 0  | 2     | 0  | 0  | 319              | 7  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 15               |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 333              | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 9                |    |
| 1972  | 0             | 0  | 0  | 0     | 0  | 0  | 0      | 0  | 0  | 0     | 0  | 0  | 0              | 0  | 0  | 0     | 0  | 0  | 0                | 0  |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |
|       |               |    |    |       |    |    |        |    |    |       |    |    |                |    |    |       |    |    | 0                |    |

Key: For = F; Against = AG; Abstain = AB

Number of Recommendations Adopted: 1967=4; 1968=1; 1969=3; 1970=2; 1970(M)=5; 1971=2; 1972=0  
 Adopted Recommendations are listed according to the corresponding total conference votes, as shown above. For a list of adopted recommendations, see table 15.

\*Maritime Recommendation

Table 13: Total Convention and Recommendation Votes

|                       | F  | AG | AB         | % in Favor      | Conventions |
|-----------------------|----|----|------------|-----------------|-------------|
| <u>United States</u>  |    |    |            |                 |             |
| Gov't                 | 9  | 0  | 1          | 90              |             |
| Empl.                 | 4  | 3  | 0          | 40              |             |
| Wkr.                  | 10 | 0  | 0          | 100             |             |
| <u>France</u>         |    |    |            |                 |             |
| Gov't                 | 9  | 1  | 0          | 90              |             |
| Empl.                 | 9  | 1  | 0          | 70              |             |
| Wkr.                  | 10 | 0  | 0          | 100             |             |
| <u>United Kingdom</u> |    |    |            |                 |             |
| Gov't                 | 9  | 1  | 0          | 90              |             |
| Empl.                 | 7  | 3  | 0          | 70              |             |
| Wkr.                  | 10 | 0  | 0          | 30              |             |
| <u>United States</u>  |    |    |            |                 |             |
| F                     | AG | AB | % in Favor | Recommendations |             |
| Gov't                 | 16 | 0  | 1          | 93.7            |             |
| Empl.                 | 12 | 4  | 0          | 66.6            |             |
| Wkr.                  | 16 | 0  | 0          | 100             |             |
| <u>France</u>         |    |    |            |                 |             |
| Gov't                 | 17 | 0  | 0          | 100             |             |
| Empl.                 | 16 | 0  | 0          | 100             |             |
| Wkr.                  | 16 | 0  | 0          | 100             |             |
| <u>United Kingdom</u> |    |    |            |                 |             |
| Gov't                 | 17 | 0  | 0          | 100             |             |
| Empl.                 | 13 | 2  | 1          | 61.6            |             |
| Wkr.                  | 17 | 0  | 0          | 100             |             |

Total number of Conventions from 1967 - 1972 = 10

Total number of Recommendations from 1967 - 1972 = 17

Instances where no vote was recorded account for the difference between a unit's total vote and the total number of Conventions or Recommendations.



Appendix C:

Letter of Nov. 5, 1975  
from the Secretary of State of  
the United States of America to  
the Director-General of the  
International Labor Office

Dear Mr. Director General:

This letter constitutes notice of the intention of the United States to withdraw from the International Labor Organization. It is transmitted pursuant to Article 1, Paragraph 5 of the Constitution of the Organization, which provides that a member may withdraw provided that a notice of intention to withdraw has been given two years earlier to the Director General and subject to the member having at that time fulfilled all financial obligations arising out of its membership.

Rather than express regret at this action, I would prefer to express confidence in what will be its ultimate outcome. The United States does not desire to leave the ILO. The United States does not expect to do so. But we do intend to make every possible effort to promote the conditions which will facilitate our continued participation. If this should prove impossible, we are in fact prepared to depart.

American relations with the ILO are older, and perhaps deeper, than with any other international organization. It is a very special relationship, such that only extraordinary developments could ever have brought us to this point. The American labor movement back into the 19th century was associated with the international movement to establish a world organization which would advance the interests of workers through collective bargaining and social legislation. Samuel Gompers, President of the American Federation of Labor, was Chairman of the Commission which drafted the ILO Constitution at the Paris Peace Conference. The first meeting of the International Labor Conference took place in Washington, that same year. In 1934 the United States joined the ILO, the first and only of the League of Nations organizations which it did join. The Declaration of Philadelphia in 1944 reaffirmed the organization's fundamental principles and reformulated its aims and objectives in order to guide its role in the postwar period. Two Americans have served with distinction as Directors General; many Americans have contributed to the work of the organization. Most particularly, the ILO has been the object of sustained attention and support by three generations of representatives of American workers and American employers.

In recent years, support has given way to increasing concern. I would emphasize that this concern has been most intense on the part of precisely those groups which would generally be regarded in the United States as the most progressive and forward-looking in matters of social policy. It has been precisely those groups most desirous that the United States and other nations should move forward in social matters, which have been most concerned that the ILO--incredible as it may seem--has been falling back. With no pretense to comprehensiveness, I should like to present four matters of fundamental concern.

## 1. The Erosion of Tripartite Representation

The ILO exists as an organization in which representatives of workers, employers, and governments may come together to further mutual interests. The Constitution of the ILO is predicated on the existence within member states of relatively independent and reasonably self-defined and self-directed worker and employer groups. The United States fully recognizes that these assumptions, which may have been warranted on the part of the Western democracies which drafted the ILO Constitution in 1919, have not worked out everywhere in the world; in truth only a minority of the nations of the world today have anything resembling industrial democracy, just as only a minority can lay claim to political democracy. The United States recognizes that revising the practices and arrangements of the ILO is not going to restore the world of 1919 or of 1944. It would be intolerable for us to demand that it do so. On the other hand, it is equally intolerable for other states to insist that as a condition of participating in the ILO we should give up our liberties simply because they have another political system. We will not. Some accommodation will have to be found, and some surely can be found. But if none is, the United States will not submit passively to what some, mistakenly, may suppose to be the march of history. In particular, we cannot accept the Workers' and Employers' groups in the ILO falling under the domination of governments.

## 2. Selective Concern for Human Rights

The ILO Conference for some years now has shown an appallingly selective concern in the application of the ILO's basic conventions on Freedom of Association and Forced Labor. It pursues the violation of human rights in some member states. It grants immunity from such citations to others. This seriously undermines the credibility of the ILO's support of freedom of association, which is central to its tripartite structure, and strengthens the proposition that these human rights are not universally applicable, but rather are subject to different interpretations for states with different political systems.



### 3. Disregard of Due Process

The ILO once had an enviable record of objectivity and concern for due process in its examinations of alleged violations of basic human rights by its member states. The Constitution of the ILO provides for procedures to handle representations and complaints that a member state is not observing a convention which it has ratified. Further, it was the ILO which first established fact-finding and conciliation machinery to respond to allegations of violations of trade union rights. In recent years, however, sessions of the ILO Conference increasingly have adopted resolutions condemning particular member states which happen to be the political target of the moment, in utter disregard of the established procedures and machinery. This trend is accelerating, and it is gravely damaging the ILO and its capacity to pursue its objectives in the human rights field.

### 4. The Increasing Politicization of the Organization

In recent years the ILO has become increasingly and excessively involved in political issues which are quite beyond the competence and mandate of the organization. The ILO does have a legitimate and necessary interest in certain issues with political ramifications. It has major responsibility, for example, for international action to promote and protect fundamental human rights, particularly in respect of freedom of association, trade union rights, and the abolition of forced labor. But international politics is not the main business of the ILO. Questions involving relations between states and proclamations of economic principles should be left to the United Nations and other international agencies where their consideration is more relevant to those organizations' responsibilities. Irrelevant political issues divert the attention of the ILO from improving the conditions of workers--that is, from questions on which the tripartite structure of the ILO gives the organization a unique advantage over the other, purely governmental, organizations of the UN family.

In sum, the ILO which this nation has so strongly supported appears to be turning away from its basic aims and objectives and increasingly to be used for purposes which serve the interests of neither the workers for which the organization was established nor nations which are committed to free trade unions and an open political process.

The International Labor Office and the member states of the organization have for years been aware that these trends have reduced support in the United States for the ILO. It is possible, however, that the bases and depth of concern in the United States have not been adequately understood or appreciated.

I hope that this letter will contribute to a fuller appreciation of the current attitude of the United States toward the ILO. In due course the United States will be obliged to consider whether or not it wishes to carry out the intention stated in this letter and to withdraw from the ILO. During the next two years the United States for its part will work constructively within the ILO to help the organization return to its basic principles and to a fuller achievement of its fundamental objectives.

To this end, the President is establishing a Cabinet level committee to consider how this goal may be achieved. The committee will of course consult with Worker and Employer Representatives, as has been our practice for some four decades now in the formulation of our ILO policy. The committee will also enter into the closest consultations with the Congress, to the end that a unified and purposeful American position should emerge.

Respectfully,

Henry A. Kissinger

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